THE JOURNAL OF PARLIAMENTARY INFORMATION

UNVEILING OF THE PORTRAIT OF NETAJI SUBHAS CHANDRA BOSE

ADDRESSES BY PRESIDENT JIMMY CARTER AND MR. JAMES CALLAGHAN TO MEMBERS OF PARLIAMENT

THE CONSTITUTION (FORTY-FOURTH AMENDMENT) BILL, 1977.

JANUARY-MARCH, 1978

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Editor: *AVTAR SINGH RIKHY*

The Journal of Parliamentary Information, a quarterly publication brought out by the Lok Sabha Secretariat, aims at the dissemination of authoritative information about the practices and procedures that are continuously being evolved in Indian and foreign legislatures. The Journal also purports to serve as an authentic recorder of important parliamentary events and activities and provides a useful forum to Members of Parliament and State Legislatures and other experts for the expression of their views and opinions thereby contributing to the development and strengthening of parliamentary democracy in the country.

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EDITORIAL NOTE

We offer our felicitations to the new Presiding Officers in the Legislatures of the States of Jammu and Kashmir, Manipur, Rajasthan and Sikkim.

The Leader of the Opposition in the Kerala Legislative Assembly has been accorded the status of a Minister.

In January, 1978, three important functions were held in the Central Hall of Parliament. One concerned the unveiling of the portrait of Netaji Subhas Chandra Bose by the President of India and the other two Addresses by the President of the United States of America and the Prime Minister of Britain under the auspices of the Indian Parliamentary Group. The speeches made on these occasions have been reproduced in the Journal.

Of the developments abroad, Nigeria's return to civil rule and the establishment of a Constituent Assembly for drafting a new Constitution, and the introduction of the Presidential system of government in Sri Lanka are important landmarks in recent parliamentary history. The U.S.S.R. has now a new Constitution.

General elections have been held in Fiji, Norway and Rhodesia, while they are due to take place in Mozambique.

—Avtar Singh Rikhy.

UNVEILING OF THE PORTRAIT OF NETAJI SUBHAS CHANDRA BOSE IN THE CENTRAL HALL OF PARLIAMENT HOUSE

At an impressive ceremony held on January 23, 1978 the President, Shri N. Sanjiva Reddy, unveiled in the Central Hall of the Parliament House a portrait of Netaji Subhas Chandra Bose. The function was attended by the Vice-President, the Speaker of the Lok Sabha, the Prime Minister and his Cabinet colleagues, Members of Parliament, diplomats and former INA officers.

The portrait painted by an eminent artist and sculptor, Shri Chintamani Kar was offered, on behalf of the people of India, by Shri Samar Guha, M.P. and accepted, on behalf of both the Houses of Parliament, by the Speaker of Lok Sabha, Shri K. S. Hegde.

Presenting the portrait to the Speaker, Shri Samar Guha said:

> Today, is the sacred birthday of Netaji Subhas Chandra Bose. But this day, the January 23, 1978 is going to be a historic day of our nation, as our Rashtrapatiji will soon unveil the portrait of the greatest revolutionary pilgrim of India in this historic Central Hall of the Parliament.
>
> Mr. Speaker, the Indian people have hailed Netaji as the epic hero and the greatest revolutionary of our country. But it took thirty years for us to officially recognise for the first time the national value of the universal adoration, appreciation and love and affection of our grateful people for their beloved Netaji.
>
> Our freedom struggle has produced many greatmen, but it has produced only two men of super destiny in the personalities of Mohandas Karamchand Gandhi and Subhas Chandra Bose. It projected the image of Gandhiji as the 'Mahatma' and of Subhas Chandra Bose as the 'Netaji' of

the Indian people. The 'Mahatma' is the noblest emblem of the philosophy of Political Moralism and 'Netaji' is the mightiest symbol of the supreme concept of Revolutionary Idealism.

Mr. President, in regard to means of attaining Indian Freedom, the images of the Mahatma and the Netaji might appear as conflicting, but in the sense of fundamental spiritual basis of their identical values Netaji Subhas is the nearest to Mahatma Gandhi. Both accepted politics as a quest for their spiritual fulfilment, both lived as totally dedicated 'Karma Yogis' and both believed that India has a mission to fulfil and they were the pilgrims in fulfilling that mission.

Netaji paid the pioneering tribute to the Mahatma as the "Father of the Nation". And the Father of the Nation called Subhas as "the Prince of the Patriots".

Sir, the character of the consummation of the struggle for freedom can be properly understood if only we harmoniously recognise the fact that it was the Mahatma who roused the Indian people to defy peacefully the alien rule and it was the Netaji who awakened the British Indian Army to a mood of rebellious patriotism and when the spirit of defiance of the common mass of people merged with the fury of the rebellious mood of the British Indian Army, the British had to quit India. In the freedom struggle of ours, what Mahatma had built magnificiently, it is the Netaji of the Indian Revolution who completed it splendorously.

In paying tribute to Netaji, the Mahatma said in 1945: "His bravery shines through all his actions. The hypnotism of Netaji and his INA has cast spell on us. Netaji's name is one to conjure with".

A former Premier of the land of traditional heroism of 'Hara Kari' 'conjured with' this name of Netaji in depicting him as the "Greatest Revolutionary of Asia", and his Foreign Minister, conceptually generalised it by hailing Netaji as the "Greatest Hero of our Age".

Is it an emotional over-drawing of the image of Netaji to describe him as the Greatest Hero of our Age? No—it is not.

The heroic image of Netaji has been portrayed glowingly by Dr. Pattabhi Sittaramaya, the greatest historian of the Indian National Congress, while he wrote about his Tripuri Congress rival... "Greatness never advertises itself until it inevitably comes into lime-light of its own self-luminosity. Subhas is still a phantom, and his name is still a sound. Subhas has proved to the world that Hindustan is still a land of valour and prowess. His name will endure in history, yea, for ever,—in common with the names of Alexander and Darius, of Caeser and Hannibal, of Cromwell and George Washington."

Yes, Netaji is the Greatest Hero of our age. His revolutionary image is unique and incomparable. In no country of the world and in no other period of history a man alone moved like a fiery modern Prometheus, from one continent to another, crossed three Oceans and covered thousands and thousands of miles of land, sea and air, in a spirit of reckless abandon, quite oblivious of the challenge of 'dread and death' in quest of fulfilment of his ambition. On countless occasions he lived as if he was swimming across death. He established his revolutionary organisation spread over 20 countries of the world. He raised two wings of an Army of Liberation in two far-flung areas of two different continents almost out of dust and then launched the historic War of Indian Independence against the mightiest Imperialist Power of the world. What all these inconceivably dangerous, yet splendorous achievements indicate,—if its supreme architect is not called the Greatest Revolutionary hero of our age?

Rashtrapatiji, you will be now unveiling the portrait of a Revolutionary Pilgrim, who emerged in the majesty of supreme excellence of the concept of revolutionary heroism and revolutionary idealism in our age.

Netaji's portrait reflects his image when on October 21, 1943 he proclaimed the Provisional Government of Free India and declared the historic War of Indian Independence as the Head of the State of Free India and the Supreme Commander of his Army of Liberation—the Azad Hind Fauj.

Eminent artist and sculptor, Shri Chintamani Kar, completed his oil painting of the portrait of Netaji in an unbelievably short time,—within ten days only,—a task one

could hardly achieve unless he was inspired by a great sense of patriotism.

On behalf of our countrymen, as a humble servant of theirs, I present to you, Mr. Speaker and through you to our Parliament, the supreme manifestation of the sovereign will of our people—the portrait of Netaji.

Mr. Speaker, the report of Netaji's death in the alleged aircrash in Formosa in 1945, is nothing but a myth. I have not an iota of doubt that Netaji did not die in the alleged aircrash. To-day, on this solemn and sacred occasion, let us dream, let us hope and let us pray to the Almighty and say Oh, God! Give back our Netaji to us.

Jai Hind.

Jayatu to Netaji.

Accepting the portrait, the Speaker, Shri K. S. Hegde said:

Today is one of the memorable days in the history of our Parliament. Here in this Hall we have the portraits of many eminent sons and daughters of this country. To that galaxy we are adding the portrait of Netaji. By that, we are honouring ourselves. He is one of the greatest sons of India. He dedicated every minute of his life to the cause of this country. He gave up a career of profit and power to serve the Motherland. He struggled and suffered for achieving freedom for this country.

India has been fortunate in her sons and daughters. But what distinguished this great man was his self-consuming passion for immediate national liberation and a youthful daring that would brave all consequences in pursuit of his goal.

"No idea has ever fulfilled itself in this world", he declared, "except through an ordeal of suffering and sacrifice." "In this mortal world everything perishes and will perish", he said "but ideas, ideals and dreams do not." Netaji Bose was indeed a dreamer of noble dreams but what made him immensurably great was the way he dedicated himself to the realization of his dreams. He was a man who spoke more in deeds than in words. Men may differ about the path he chose

but no one can ever deny the great sincerity of his sacrificial patriotism. Speaking from Berlin on April 20, 1942 he said:

> "All my life I have been a servant of India. Until the last hour of my life, I shall remain one. My allegiance and loyalty have ever been, and will ever be, to India alone, no matter in which part of the world I may live."

Netaji's war of liberation from abroad, added its own momentum, to the movement at home at a crucial juncture in our struggle for freedom.

Netaji Bose was a dynamic leader with single-minded strength and devotion to a cause. For most of those who joined Netaji's Indian National Army, the personality of Netaji was all inspiring. He had a dynamism of his own. As a former General of the I.N.A. has aptly put it:

> "From the moment I came into personal contact with him he exercised a strange influence over me. Even now I do not know in what proportion the man, the soldier and the statesman in him were blended. At home the man in him seemed to dominate; at the front and in the midst of his troops, the soldier in him shone in splendid glory, and in the councils and conferences and at his desk,....his brilliant statesmanship made a profound impression on one and all of us."

Netaji's reputation as a revolutionary crusader in the freedom struggle has tended to over-shadow the fact that he was among the earliest to define the goal of Indian freedom in terms of social revolution. His words in the course of his speech in Amaravati Youth Conference in 1929 are worth recalling. He said—

> "If freedom is to be the cardinal principle of our life—the elan vital of all our activity—it should also be made the basis of social reconstruction. If the principle of freedom is to be applied to society, it will mean nothing short of social revolution. The inequalities of wealth have to be removed and equal opportunities for all, equitable distribution of wealth, abolition of all social barriers, including caste, should be some of the basic principles of the new society we want to build."

In his last recorded message of August 1945 to his countrymen, Netaji struck a characteristic note of optimism:

> "....never for a moment falter in your faith in India's destiny. There is no power on earth that can keep India enslaved. India shall be free, and before long."

A prophecy which was to come true soon after.

It is never too late to do the right thing. Today is a day of a dream come true—to Prof. Samar Guha and indeed for all of us, Netaji's compatriots. The artist Shri Chintamani Kar, as you will see, has done a fine job of the portrait of the great leader, undertaking the task more as a labour of love. I have no doubt, Rashtrapatiji, that the portrait which you will now unveil will remind generations of our countrymen of Netaji's life of great service and sacrifice at the altar of the Motherland and inspire them to do likewise.

May I request you, Rashtrapatiji, now to unveil the portrait.

Unveiling the portrait, the President, Shri N. Sanjiva Reddy said:

The efforts of ten years of Shri Samar Guha have materialised to-day. When I was Speaker of Lok Sabha in those days, *i.e.* 1967, he was making repeated attempts to have the portrait of Subhas Babu in this Hall. I do not know how many times he gave notice to me and how many times he threatened to squat here in the Central Hall until the portrait was unveiled here.

Both of us had the pleasure of looking at the Hall but there was no space suitable, we felt in those days, that could accommodate the portrait of not only Shri Subhas Bose but other leaders also who could be honoured this way. I am glad that after ten years of attempt, and with the assistance of the Speaker and the Vice-Prseident, Shri Samar Guha has been able to find a very good place to honour our great leader.

Netaji Subhas Chandra Bose is one of the giants. The hall is too small to accommodate many of them. This generation of people and even we, who are much older to-day, know them through the books of history that gave us their life-sketches. But, for future generations, it will be something wonderful to read about these great leaders adorning this Central Hall. Of them, to-day, I have the honour of

unveiling the portrait of Shri Subhas Babu. He was the most colourful. He was the most original. He was a revolutionary. Not that he agreed with everything that others said. He had the originality of a thinker in himself. May be he was not correct and others might not have approved of his approach but, still, he had the courage of conviction to think in a way different from those who were in power on those occasions.

In 1941 when we were in jail, Rajaji, Prakasam and some of us, smaller people, in those days one fine morning read that Subhas Babu had disappeared. What an exhilarating news it was to us, the youngsters! But I knew that the seniors, who could analyse things and all that, did not approve of the action taken by him.

He did not wait for the approval of anybody. He took initiative and acted on that. That was his greatness. Later on we did not know his whereabouts and his activities.

His greatest contribution was the I.N.A. He did create a feeling of patriotism in the minds of the people and all those who were serving in the Army. He created a national army. He was the first person to think of a national army for the Indians. He knew that the circumstances were limited, his capacity was limited, arms and equipments and everything was limited. Still he had the courage to say—"here is my Army. Even if we are ten people we are going to fight."

Another slogan he gave to the country was "Delhi Chalo". He has come back to-day but not as we expected—a hero alive conquering India. Some people say he is alive. I wish I could believe it. I wish he will come to us, even if it is for one day, not to rule over the country but to inspire us and make us dedicate ourselves to the cause of the country again. He is not petty-minded to think of becoming a Minister, this thing and all that. I do not believe that. He had a greater vision of India with greater sacrifices—some such sacrifices than becoming something. We had such leaders. It is our good fortune. They inspired us. They made us—small men—out of dust.

Those days to be an officer of the ICS was the greatest achievement of an educated man. But Subhas Bose shunned

it. He threw it away. Not that he did not have it; he got it, but he threw it away. No sacrifice was big for him.

We have come to Delhi and we have also captured the Red Fort 'Lal Quila'.

I am glad I am associated with this function. It is a great privilege. Shri Samar Guha invited me to come here. I know Shri Samar Guha for the last fifteen years. I was wondering whether he had taken the permission of the Speaker for me to come here to the Central Hall. He has been threatening to squat here in the Central Hall and whether he wanted the President to squat here was my fear. Anyway, the Speaker told me to come here and unveil the portrait. I was very happy.

I feel very privileged to pay my tribute this morning to the great son of India. I had attended Congress Sessions—a number of them earlier as a student and all that, but as a delegate the first Session attended by me at Haripur was when Shri Subhas Bose became the President. Later on at Tezpur—I do not want to go into the history—his differences with Mahatma Gandhi—that should be forgotten. I remember him only as a hero.

He inspired the younger generation. He could keep spellbound millions of people. He could take unconventional, daring decisions and he inspired us. He has inspired us and I am sure his portrait will inspire not only the people of this day but the future generations also and will give them courage to act honestly and according to their convictions.

I thank you Mr. Speaker, Mr. Vice-President, for asking me to come here to participate in this function. In particular, I thank Shri Samar Guha for all the efforts he made all these ten years to achieve his objective of putting Netaji's portrait here. I know there are a few places left for others now. Even for Mahatma Gandhi, we have a small portrait, but the size does not count. They are great leaders.

Thank you all for coming to this function and making it a success. Thank you all.

In his thanks-giving address, the Chairman, of Rajya Sabha, Shri B. D. Jatti said:

I am really very happy to be present on this unique occasion and to express my warmest thanks to you, Rashtrapatiji, for having made it convenient to be in our midst today to unveil the portrait of Netaji Subhas Chandra Bose in this Central Hall of our Parliament House. Unveiling of Netaji's inspiring portrait today, which incidentally forms a part of the galaxy of other eminent national leaders whose portraits adorn the walls of this historic Hall, marks the culmination of the persistent efforts made in this direction by our dear friend, Professor Samar Guha, for the past many years.

We had been feeling all along that without the portrait of this gallant and beloved son of India who suffered and made sacrifices so that his countrymen could live in freedom, the galaxy would be incomplete. It is, therefore, a matter of great satisfaction for all of us, particularly for Professor Guha, who deserves our congratulations and gratitude for having been able to obtain this excellent portrait and present it today.

Netaji was a unique revolutionary leader with a passionate love for his country and his people. A great patriot and an intrepid leader of men, he became a legend in his own lifetime.

In the history of India's long struggle for freedom from British rule and in the story of shaping the people's militant nationalism into a powerful instrument to that end, Netaji's name will be written in letters of gold.

Netaji's total commitment to secularism and provision of equal opportunities to all, irrespective of caste, creed or language and the abolition of all forms of social and economic injustice, stands as a beacon light to illumine the path of the present and the future generations. Netaji did not aim only at the political freedom of his country from foreign rule but considered economic uplift of his people equally important.

Described endearingly by Gandhiji as "hypnotic personality" and by Sarojini Naidu as "the Flaming Sword of Patriotism", Netaji will always live among his people who meant everything to him. To Netaji, patriotism was an article of faith that guided him right from his student days. His patriotism was of the purest kind—love for his country, a deep regard for its

great heritage and a consuming sympathy for the poor and the down-trodden.

Netaji's message of staking everything dear in life for a worthwhile cause, rings loud and clear. I am confident that the portrait that has been unveiled here will inspire us as well as the future generations to render dedicated service, with faith and courage.

Shri Chintamani Kar, the renowned artist, whose creative genius has produced this work of art, specially deserves our gratitude.

Today, on this birth anniversary of Netaji, I think the best way to pay our homage to him is to emulate and exemplify in our everyday life his earnest patriotism and love for the country. Let us, therefore, reaffirm our faith in the ideals of freedom and rededicate ourselves to building a happy and prosperous India.

Jai Hind.

The Speaker, Lok Sabha, Shri K. S. Hegde then presented the renowned artist, Shri Chintamani Kar to the President, who presented him with a shawl.

2

ADDRESS BY PRESIDENT JIMMY CARTER TO MEMBERS OF PARLIAMENT

[On January 2, 1978, His Excellency Mr. Jimmy Carter, President of the United States of America addressed the Members of Parliament in the Central Hall of the Parliament House. We reproduce below his Address as well as the welcome speech by the Prime Minister, Shri Morarji Desai and the thanks-giving speech by Shri K. S. Hegde, Speaker, Lok Sabha and President of the Indian Parliamentary Group.

Editor].

Speech by the Prime Minister, Shri Morarji R. Desai

Your Excellency Mr. President, Vice-President Shri Jatti, Speaker Shri Hegde, Excellencies, Members of Parliament, and Friends:

On behalf of the Indian Parliamentary Group, the organisation of the elected representatives of the Indian people, I am happy to welcome you in this Central Hall of our Parliament. We receive you not only as the Chief Executive of a great and friendly nation but because we see in you one who believes that politics and public policy must never be divorced from human values and morality. During the last 12 months, you have impressed your personality on the world as a man of lofty idealism and as a fearless crusader. We, who have grown out of clay to be men under the humanising influence of Gandhiji, can understand, possibly more than any other people, the continuing and pressing relevance of moral imperatives in the political life of a nation and that the ultimate test is how we serve, unto the last the common man.

We live today in an awakened and enlightened world. What is more, it is a demanding world too. The community of nations must

face together the paradox of our times. Some have gathered immense power and treasured vast opportunities while most others are faced with the spectre of war of destruction and millions suffer from want of even the basic necessities of life. As democratic nations in a world order we have to demonstrate that we seek not just to fulfil the aspirations of our own people but also that we are sensitive to the problems and interests of other peoples and share the hopes of the entire family of Man.

Mr. President, you come to this country at a time when our people have unmistakably demonstrated that they are the true guardians of the democratic freedoms embodied in our Constitution as well as in yours. Through the ballot box the people have proved that they will not tolerate encroachment on their fundamental freedoms or abuses of their trust and confidence. My colleagues and I, in whose hands they have now placed the reins of power, have to redeem our pledges and fulfil their expectations.

The ease with which India has adopted the democratic tradition reflects the character of our ancient civilisation, its tradition of harmony and tolerance and the inner confidence which comes from dedication to spiritual values. But, in framing our Constitution, as in our struggle for freedom we drew inspiration from diverse sources, notably from U.S. thinkers and statesmen. Gandhiji's ideas were influenced by Thoreau's thought. The fundamental rights embodied in our Constitution have the unmistakable stamp of Jefferson's emphasis on individual freedom and Lincoln's faith in representative and responsive government. I have no doubt that the great leaders of our nation, who are no more and the portraits of some of whom you see around this Hall, would have rejoiced on this occasion when in welcoming you, we can reaffirm our common faith and re-establish the trust which must exist between our two democracies.

Mr. President, differences may no doubt crop up from time to time between our countries as they do between two individuals. But, I am confident that India and the United States will establish a healthy, relaxed and co-operative relationship. The great challenge before this world is to establish a new economic relationship between the industrialised nations with their technology and affluence, and the developing countries struggling against great odds to satisfy the needs of their own people. Though our circumstances are different, the goal of a stable and peaceful inter-national order and a world free from tension is common between us. The world,

which is striving for such a goal, expects countries like ours and yours to work together for a socially just world order, based on universal peace and common ideals.

It is in that hope and with great pleasure that I am welcoming you to this meeting under the auspices of the Indian Parliamentary Group.

Address by Mr. Jimmy Carter, President of the United States of America

Mr. Vice President, Mr. Prime Minister, Mr. Speaker, Distinguished Ladies and Gentlemen of the Republic of India:

I stand before you in this House, the seat of one of the world's great legislatures, with feelings of profound friendship and respect.

I bring with me the warm greetings and good wishes of the people of the second largest democracy on earth, the United States of America, to the people of the largest democracy, the Republic of India.

Not long ago, both of our people's Governments passed through grave crises. In different ways the values for which so many have lived and died were threatened. In different ways, and on opposite sides of the world, those values have been triumphant.

It is sometimes argued that the modern industrial state—with its materialism, its centralized bureaucracies, and the technological instruments of control available to those who hold power—must inevitably lose sight of the democratic ideal.

The recent experience of my country put that argument to the test. And the result was a vindication of freedom and self-government.

The opposite argument is made even more frequently. There are those who say that democracy is a kind of rich man's plaything—and that the poor are too preoccupied with survival to care about the luxury of freedom and the right to choose their government.

This argument is repeated all over the world—mostly I have noticed by persons whose own bellies are full, and who speak from positions of privilege and power in their own societies.

Their argument reminds me of a statement made by a great President of the United States. Abraham Lincoln said "Whenever I hear anyone arguing for slavery, I feel a strong impulse to see it tried on him personally."

The evidence, both in India and in America, is plain. It is that there is more than one form of hunger, and neither the rich or poor will feel satisfied without being fed in both body and in spirit.

Is democracy important? Is human freedom valued by all people?

India has given her affirmative answer in a thunderous voice—a voice heard around the world. Something momentous happened here last March—not because any particular party won or lost, but rather, I think, because the largest electorate on earth freely and wisely chose its leaders at the polls. In this sense, democracy itself was the victor.

Together, we understand that in the realm of politics, freedom is the engine of progress.

India and America share practical experience with democracy.

We in the United States are proud of having achieved political union among a people whose ancestors come from all over the world. Our system strives to respect the rights of a great variety of minorities—including, by the way, a growing and productive group of families from India.

But the challenge of political union is even greater here. In the diversity of languages, religions, political opinions, and racial and cultural groups, India is comparable to the continent of Europe, which has a population about the same size as India's.

Yet India has forged her vast mosaic of humanity into a single nation that has weathered many challenges to survival both as a nation and as a democracy. This is surely one of the greatest political achievements of this as of any century.

India and the United States are at one in recognizing the right of free speech—which Mahatma Gandhi called "the foundation-stone of Swaraj" or self-government—and the rights of academic freedom, trade union organisation, freedom of the press, and freedom of religion.

All these rights are recognized in international covenants. There are few governments which do not at least pay lip service to them. And yet, to quote Gandhi once more, "No principle exists in the abstract. Without its concrete application it has no meaning."

In India, as in the United States, these rights have concrete application—and real meaning.

It is to preserve these rights that both our nations have chosen similar political paths to the development of our resources and the betterment of the life of our people.

There are differences between us in the degree to which economic growth is pursued through public enterprise, on the one hand, and private enterprise, on the other—but more important than these differences is our shared belief that the political structure in which development takes place should be democratic and should respect the human rights of each and every citizen.

Our two countries also agree that human needs are inseparable from human rights—that while civil and political liberties are good in themselves, they are much more useful and much more meaningful in the lives of people to whom physical survival is not a matter of daily anxiety.

To have sufficient food to live and work; to be adequately sheltered and clothed; to live in a healthy environment and be healed when sick; to learn and be taught—these rights, too, must be the concerns of our governments. To meet these needs, orderly economic growth is crucial. And if the benefits of growth are to reach those whose need is greatest, social justice is crucial as well.

India is succeeding in this historic task. Your economic challenges are no secret, and their seriousness is well understood in the West.

What is far less well understood is the degree to which Indian social and economic policy has been a success. In the single generation since your independence was gained, extraordinary progress has been made.

India is now a major industrial power. Your economy ranks among the ten largest in the world. It is virtually self-sufficient in consumer goods and a wide variety of iron and steel products.

There have been notable increases in production in nearly every important sector of industry—increases which reflect an economy of great technological sophistication. This kind of growth makes it doubly important to try to reduce trade barriers, and to promote both bilateral trade and mutual responsibility for the world trading system.

Most important, though, are the advances in human welfare that have touched the lives of ordinary Indians.

Life expectancy has increased by twenty years since Independence. The threat of major epidemics has receded. The literacy rate has doubled. While only a third of Indian children went to school in the years just after Independence, nearly 90 per cent of primary-age Indian children now receive schooling. Nine times as many students go to universities as before.

I mention these gains because we tend to overlook them in our preoccupation with the problems that quite properly engage most of our attention.

India's difficulties, which we often experience ourselves, and which are typical of the problems faced in the developing world, remind us of the tasks that lie ahead.

But India's successes are just as important—because they decisively refute the theory that in order to achieve economic and social progress, a developing country must accept an authoritarian or totalitarian government and all the damage to the health of the human spirit which that kind of rule brings with it.

Nevertheless—as Indians are the first to affirm—the challenges your country faces remain immense. All of us recognize that every country stands or falls by its own efforts.

We are eager to join with you in maintaining and improving our valuable and mature partnership of political and economic cooperation.

It is a sobering fact that in a nation of so many hundreds of millions of people, only a few American business leaders are involved on a daily basis in the economic and commercial life of this subcontinent.

We need to identify more areas where we can work together for mutual benefit, and, indeed, the benefit of the whole world.

In the area of development, I am deeply impressed with the creative direction the Government of India has charted in the new economic statement.

You have committed your nation unequivocally to rural improvement and the creation of rural employment. This policy now faces the test of implementation, and especially the test of bringing its benefits to the poorest sections of your rural population. But the seriousness and determination of your commitment is cause for optimism.

The new direction of your Government coincides with our own view that development priorities should emphasize meeting basic human needs.

We want to learn from you and to work with you however we can.

In agriculture there are also exciting new areas of technology on which we can work together. After a decade of importing grain, India now stands with a surplus of nearly 20 million tons. This is a tribute to the growing productivity of your agriculture and the competence of your administrative services.

We applaud the grain reserve programme you have begun, and we would welcome the opportunity to share with you our resources and experience in dealing with the storage problems that surpluses bring with them.

Our countries must be in the forefront of the effort to bring into existence the international food reserve that would mitigate the fear of famine in the rest of the world.

At the same time, we must recognize that today's surpluses are likely to be a temporary phenomenon. The best estimates indicate that unless new productive capacity is developed, the whole world with its rapidly growing population may be facing large food shortages by the mid-1980s.

The greatest opportunities to increase agricultural productivity exist here in India and elsewhere in the developing world. These opportunities must be seized—not just so that Indians can eat bet-

ter, but so that India can remain self-sufficient, and perhaps even export food to countries with less agricultural potential.

In the past, America and India have scored monumental achievements in working together in the agricultural field.

But there is still a vast unrealized potential to be tapped through further cooperation.

I would like to see an intensified agricultural research programme, aimed both at improving productivity in India and at developing processes that could be used elsewhere.

This programme would be based in the agricultural universities of our two countries, but would extend across the whole frontier of research.

And beyond research, I would like to identify joint development projects where research can be tested and put to work.

Prime Minister Desai and I may now instruct our governments to focus on these matters and come up with specific proposals within the next few months.

One of the most promising areas for international cooperation is in the regions of Eastern India and Bangladesh, where alternating periods of drought and flood cut cruelly into food production. Several hundred million people live in this area. They happen to be citizens of India, Bangladesh, and Nepal.

But they are also citizens of the global community. And the global community has a stake in ensuring that their needs are met.

Great progress has already been made in resolving water questions, and we are prepared to give our support when the regional States request a study that will define how the international community, in cooperation with the nations of South Asia, can help the peoples of this area use water from the rivers and the mountains to achieve the productivity that is inherent in the land and the people.

Sustained economic growth requires a strong base in energy as well as in agriculture. Energy is a serious problem in both our countries, for both of us import oil at levels that can threaten our economic health and expose us to danger if supplies are interrupted.

American firms are already working with Indians in developing the oil producing area off the shores near Bombay.

We also have a long record of cooperation in the development of nuclear power—another important element of India's energy plans. I hope that our work together will continue in this field as well.

This is a cold technological subject, but Prime Minister Desai and I had warm and productive discussions about this field. We have notified him that shipments of nuclear fuel will be made for the Tarapur reactor. And because of an accident that did occur in your heavy water production plant, we will make available to India also supplies from our reserves of heavy water.

Additionally, we stand ready to work with you in developing renewable energy resources, especially solar energy. Active cooperation in this area could be of enormous help to both our countries.

There is no shortage of sunlight in India, and the lack of a massive existing infrastructure tied to fossil fuel use will make the application of solar and solar-related energy vastly easier here than it will be in my country.

Moreover, the inherently decentralized nature of solar energy makes it ideal as a complement to your government's stress on developing self-reliant villages and communities.

The silent void of space may seem remote from these challenges, but the intricate electronics of a space satellite can be as useful to earth-bound farmers as a new plough.

The Indian and American governments will tomorrow exchange diplomatic notes confirming that the United States will programme its Landsat earth resources satellite to transmit data directly to a ground receiving station that India will own and operate.

This satellite service will provide India with comprehensive topographic and minerals information and timely data on the ever-changing condition of agricultural, water, and other natural resources..

Under the terms of the agreement, India will make available to neighbouring countries any information that affects them.

Also, India has already reserved space on board the American space shuttle in 1981 to initiate a domestic communications satellite system, using a satellite designed to Indian specifications.

We are pleased that our space technology, together with India's superb space communications capability, will serve the cause of practical progress in India.

Our growing scientific cooperation should be anchored in expanded knowledge of each other's people and culture.

Our scholarly exchanges have already enriched the lives of Americans who have participated in them, and I hope the same has been true of Indian participants. I want our exchanges of persons and information to flourish and grow.

In matters of culture and the arts, we know how much we have to gain. Not only India but also the rest of Asia, Africa, and the Middle East have much to offer us from which we might learn.

I hope to expand the opportunities for our citizens to appreciate the strong and varied culture in the nations of your part of the world.

In global politics, history has cast our countries in different roles. The United States is one of the two so called superpowers; India is the largest of the non-aligned countries.

But each of us respects the other's conception of its international responsibilities and the values we do share provide a basis for cooperation in attacking the great global problems of economic justice, human rights, and the prevention of war.

This pursuit of justice and the building of a new economic order in the world must be undertaken in ways that promote constructive development rather than fruitless confrontation. Every country will suffer if the North-South dialogue is permitted to flounder.

Because India is both a developing country and an industrial power, you are in a unique position to promote constructive international discussion about trade, energy, investment, balance of payments, technology, and other questions. I welcome your playing this role.

I know that there will be times we will disagree on specific issues and even on general approaches to larger problems. But I hope and believe that our shared interests and common devotion to democratic values will help us move toward agreement on important global and bilateral issues.

But neither of us seeks to align with the other except in the pursuit of peace and justice. We can even help each other to alleviate differences which might exist with other nations.

Our two countries are part of a democratic world that includes nations at all stages of development, from Sweden and Japan to Sri Lanka and Costa Rica.

We share many common problems. We also share an obligation to advance human rights—not by interfering in the affairs of other nations, not by trying to deny other nations the right to choose their own political or social system, but by speaking the truth as we see it and by providing an admirable example of what democracy can mean and what it can accomplish.

The danger of war threatens everyone, and the United States is trying to help reduce that danger—in the SALT negotiations with the Soviet Union, in talks aimed at a comprehensive nuclear test ban treaty, in our own policy of restraint on conventional arms transfers.

We are also working hard to restrict the proliferation of nuclear explosives. We are seeking to help the process of peace in Africa and the Middle East. And we are taking steps to forestall great power rivalry in the Indian Ocean.

India is pledged to peaceful cooperation with her neighbours, and India is an important part of almost any United Nations peace-keeping force, is a present and frequent member of the Security Council, and has been in the forefront of campaigns against colonialism and apartheid.

More and more, we find ourselves working together toward our common goals: democracy, human development, social justice, and peace.

The motto of my country is "In God We Trust." India's is Satyameva Jayate—"Truth Alone Prevails."

I believe that such is the commonality of our fundamental values that your motto could be ours and perhaps ours could be yours. Our nations share the common goals of peace in the world and human development in our own societies.

And we share as well the conviction that the means we employ to reach these goals must be as much in keeping with the principles of freedom, human dignity, and social justice as are the goals themselves.

This affinity of belief is as strong a tie as there can be between two nations. The values that Indians and Americans share have

deeply affected my own life. I come to you as a national leader, in the hope that my visit will mark a new and higher stage in the steadily improving relations between our two countries. But in a more personal sense—a sense that is very close to my heart—I come as a pilgrim.

This morning I had the honour of laying a wreath on the memorial to Mahatma Gandhi. In that sacred place so simple and serene, I recalled anew the ways in which Gandhi's teachings have touched the lives of so many millions of people in my country.

When I was growing up on a farm in the State of Georgia, in the heart of the sourthern United States, an invisible wall of racial segregation stood between me and my black playmates as soon as we were old enough to go to school. It seemed then as if that wall would exist forever.

But it did not stand forever. It crumbled and fell, and though the rubble has not yet been completely removed, it no longer separates us one from another, blighting the lives of those on both sides of it.

Among the many who marched and suffered and bore witness against the evil of racial prejudice, the greatest was Dr. Martin Luther King, Jr., a son of Georgia and a spiritual son of Mahatma Gandhi.

The most important influence in the life and work of Dr. King, apart from his own religious faith, was the life and work of Gandhi. Martin Luther King took Gandhi's concepts of Ahimsa and Satyagraha—non-violence and truth-force—and put them to work in the American South.

Like Gandhi, we all learned that a system of oppression damages forces in the universe. Like Gandhi, he knew that ordinary people armed only with courage and faith, could overcome injustice by appealing to the spark of good in the heart of the evil-doer.

Like Gandhi, we all learned that a system of oppression damages those at the top of it as surely as it does those at the bottom.

And for Martin Luther King, as for Mahatma Gandhi, non-violence was not only a political method, it was a way of life and a spiritual path to union with the ultimate.

These men set a standard of courage and idealism that few of us can meet, but from which all of us can draw inspiration and sustenance.

The non-violent movement for racial justice in the United States—a movement inspired in large measure by the teachings and example of Gandhi and other Indian leaders—changed and enriched my own life and the lives of many millions of my countrymen.

I am sure you will forgive me for speaking about it at some length. I do so because I want you all to understand that when I speak of friendship between the United States and India, I speak from the heart as well as the head. I speak from a deep, firsthand knowledge of what the relationship between our two countries has meant in the past and what it can mean in the future.

For the remainder of this century and into the next, the democratic countries of the world will increasingly turn to each other for answers to our most pressing common challenge: How our political and spiritual values can provide the basis for dealing with the social and economic strains to which they will unquestionably be subjected.

The experience of democracy is like the experience of life itself—always changing, infinite in its variety, sometimes turbulent, and all the more valuable for having been tested by adversity. We share that experience with you and draw strength from it.

Whatever the differences between my country and yours, we are moving along the path of democracy toward a common goal of human development.

I know I speak for all Americans when I say that I am grateful that we travel that road together.

Speech by Shri K. S. Hegde, Speaker, Lok Sabha and President of the Indian Parliamentary Group

YOUR EXCELLENCY MR. PRESIDENT, VICE-PRESIDENT SHRI JATTI, PRIME MINISTER, EXCELLENCIES, MEMBERS OF PARLIAMENT, AND FRIENDS

It is with great pleasure that I rise to thank you, Mr. President, for your inspiring address vibrant with endearing friendliness and refreshing originality. We are indeed happy that you have been able to visit our country along with your charming wife.

India shares, Mr. President, your concern to shape a world responsive to human aspirations. India shares with the USA a firm commitment to the fundamental human liberties and the democratic form of government. The health and vitality of our democratic polity stands proven. The last parliamentary elections in India have dramatically proved the people's involvement in politics and their faith in democratic values as being the only sound basis for obtaining social justice.

Equality and equity are enshrined in our political system. The dignity of the individual and the sanctity of the human being are the underlying principles of the constitutional ethos of the Republic of India. India's concept of participative democracy flows out of our ancient philosophy which looked upon each being as the embodiment of the same life force. Our concern with man reaches out beyond national borders.

As you rightly believe, "an alliance for survival is needed, transcending regions and ideologies—if we are to assure mankind a safe passage to the twenty-first century." The world is in ferment. Nations are worried today as much about their economic security as their political freedom. Democracy has the obligation to secure for the citizens not only peace but also freedom from want. A co-operative world order is therefore the vital need of the modern inter-dependent world which is dominated by demands for higher standards of human existence. We Indians feel that democratic nations particularly owe it to their commitment to equality and dignity of man to respond, in partnership with all nations, in collective action to the human need for peace and prosperity everywhere. Ours is a vision of a better India, in and for a better world.

Indo-American relations date back many, many years—in a sense, to the discovery of America itself. Capacity for assimilation has been the common characteristic of our national lives. Your visit, we are sure, will help greater mutual understanding and introduce new perspectives to relations between our two great democracies.

In concluding, let me say once again how happy we are, Mr. President, at your coming to our country and convey to you and to your distinguished and gracious wife Mrs. Rosalyn Carter—and through you to members of the Congress and the people of the USA —the greetings and feelings of goodwill and friendship of the members of the Indian Parliament and the millions of my fellow-country-men they represent.

ADDRESS BY THE RT. HON'BLE JAMES CALLAGHAN M.P., PRIME MINISTER OF UNITED KINGDOM TO THE MEMBERS OF PARLIAMENT

[On January 9, 1978, His Excellency the Rt. Hon'ble James Callaghan, M.P., Prime Minister of the United Kingdom addressed the Members of Parliament in the Central Hall of the Parliament House. We reproduce below his Address as well as the welcome speech by the Prime Minister, Shri Morarji R. Desai and the thanks-giving speech by the Vice-President, Shri B. D. Jatti.

Editor]

SPEECH BY THE PRIME MINISTER, SHRI MORARJI R. DESAI

YOUR EXCELLENCY MR. PRIME MINISTER, VICE-PRESIDENT SHRI JATTI, EXCELLENCIES, MEMBERS OF PARLIAMENT AND FRIENDS:

The setting to which I have the pleasure of welcoming you this afternoon must be bringing to your mind the great institution thousands of miles away of which we, who are wedded to parliamentary system of Government, turn for guidance in procedures, practices and precedents and in which you have been playing such a notable part not only in getting the best of the debates but also generally getting the better of the Opposition in voting strength. Of the many links which have survived the political separation between our two countries the parliamentary system is perhaps the most precious and also the most lasting. It is one of the miracles of modern statesmanship that the parliamentary structure which had its roots in British system and which was evolved over the centuries in response to changing conditions and needs of your country has successfully flourished in other soils without much change from the original. So far as India is concerned we took to it as if it was our own. That was because we had developed over the centuries a tradition in the participation of elected representatives in our affairs through various hierarchically created institutions at the very base of our social system. Long before the City States of Greece and Rome appeared on

the stage of world history we had our own democratic republics playing their effective role in the governance of the country. Even in our own joint families we generally resorted to the modes of negotiation, discussion and conciliation in keeping them together. At different periods in our history we had the departmental and Cabinet system of Government in operation. Our professional guilds also presented the same picture. What was lacking in the old days, however, was equality, freedom of choice and an overall institution with which those below could be linked. A tier system is essentially a modern concept and the development in the 19th century of free democratic institutions in the western world influenced the evolution of democratic norms, traditions and institutions in the other parts of the world. Representative institutions in the modern sense in our country are now more than a century old, but they were limited to legislative work and did not exercise the comprehensive powers that vest in Parliament these days. It was only at the time of independence that we achieved a parliamentary system in its full-fledged form and have been working it with, if I may say so, reasonable success ever since.

There was, however, a gap between legislative assemblies and real politics. This gap was bridged by Gandhiji who along with his colleagues developed a technique of political conversation and confrontation, negotiation and struggle within existing institutions whenever possible and outside them when necessary. The conversations were frank and cordial generally without a trace of bitterness and the confrontation had all the drama and manoeuvrings of an old fairy tale and like all good fairy tales it ended, as it should, happily.

We took over from you the parliamentary structure with some necessary modifications, mostly due to the fact that we are a multi-religious, multi-linguistic nation. In our case, Tennyson's dream of a Parliament of Man, a Federation of the World, became realised. Even in Britain, which is so much smaller in size and population than India, you are trying successfully to reconcile the conflicting poles of regionalism and sub-nationalism by devolution of authority. Even in a wider field of European Parliament the same process of reconciliation is in vogue and Britain will take its due share in its decision-making. Even though separated by thousands of miles we seem to be following a parallel course in the development of our Parliamentary systems.

During the thirty years after the end of the British Empire in India, the Indian Parliament and State Legislatures remain at the

heart of the political system in our country. An attempt to bypass the Parliament, to take away authority from it and to make it subordinate to individual will was made two years ago. Happily for all of us, as you know, the eclipse even though nearly total was of short duration and the individuals who thought they could usurp authority while retaining the forms of democracy were dismissed most unceremoniously by the people of India in a massive turnout. Today in this country you will find parliamentary democracy functioning at all levels in the fullest freedom. It shares with the executive and with the legislature authority in decision-making. Recent experience has brought home to us the fact that these institutions and the freedoms which these institutions guarantee were much more fragile than we realised. We are doing everything possible to prevent the recurrence of such an event. We are doing it ever patiently and at our own steady pace. We are certainly not going to be stampeded by the very enemies of democracy into abandoning its very essence but are determined to preserve it in all its essential features.

Mr. Prime Minister, we have taken over from British experience not merely the parliament but also an independent judiciary and a non-political civil service and army. We feel that each one of these institutions is necessary to guarantee the permanence of democratic institutions and popular freedom in our country. During these years, we have continued to benefit by your own experiments in introducing into a rapidly changing technological world the concepts, ideals and compulsions of an humane polity. We hope to continue to do so in the future also. Parliamentary democracy, as other things, cannot remain static in a world of bewilderingly rapid change. The Commonwealth to which both of us belong and which, in a sense, is the result of an imaginative moment of creative statesmanship on the part of the leaders of our two countries, is yet another forum which will, I hope, try to keep the tradition of democratic discussion alive. For parliamentary democracy, to fulfil itself, should not be limited to a single state; it should lead to habits of tolerance, understanding and mutual adjustment between peoples and nations. In fact, as I stated in the Commonwealth Conference last June, it is through this evolution alone that we can realise the dream of one world which must be the endeavour of all who regard themselves as the children of Mother Earth.

I am confident that you are feeling at home among these members of the Indian Parliament. We can promise you everything exactly as it happens in London—everything except the heckling! It is a

pity that you have come at a time when Parliament is not in session and you cannot get the flavour of our own parliamentary proceedings but despite that handicap I can assure you that we welcome you to these sacred precincts not only as a parliamentarian of great attainments but as one who has shed lustre on its proceedings and whose approach to Parliamentary business is one of true patriot, who can in the interests of his country rise above narrow parochialism and can rouse his own party and his own people into accepting sacrifices and unpalatable measures in the face of a crisis which threatens all. Mr. Prime Minister, it is in that sense of admiration for your achievements that we welcome you to this august environment.

SPEECH OF THE RT. HON'BLE MR. JAMES CALLAGHAN, PRIME MINISTER OF THE UNITED KINGDOM

MR. VICE-PRESIDENT, MR. PRIME MINISTER, MR. DEPUTY-SPEAKER, MINISTERS, FELLOW MEMBERS OF PARLIAMENT

I am delighted to be visiting India once again both on personal grounds and because I would like to think that my visit here would be a symbol of the concerns, the values and the interests that the United Kingdom shares with your great country.

Coming, as I do, from the oldest parliamentary democracy in the world, it is a great privilege to be allowed to speak to the elected representatives of the largest parliamentary democracy in the world.

I know that this is a gathering of great distinction, including guests from some walks of life outside of Parliament. I am grateful to you for coming and I shall speak this afternoon as a friend to friends who have known each other for so long and whose affection for each other is so strong that we overlook our faults. This is why we feel at home in each other's countries. Politicians, lawyers, academicians, businessmen, trade unionists, all of us can settle down and discuss things easily in each other's company.

Speaking as a politician to Prime Minister Desai, whom I have known and whose work I have followed with appreciation over many years, I can say that I recognise in him as in others, great leaders of Indian democracy by whom we are surrounded in this hall, the truth and the force of Mahatma Gandhi's remark that it was "my devotion to truth that has drawn me into the field of politics". All of us who care about the democratic process will do well to mark those words and take that as a motto throughout our political lives.

I was a young man when I was elected to the British Parliament in 1945. I remember vividly the debates in the House of Commons on the Bill to confer independence on India. I remember, the Government and the Opposition lined up, and the Opposition gave its support. Yes, some Members were queasy about it, but largely speaking, there was support for this great proposition. I am very proud indeed that it was the Labour Government which brought in the Bill and carried it through. Nor shall I forget the dismal forecasts that were made by some Members of the House at that time about the eventual outcome. But their pessimism has been unjustified in the result. India has become a great nation.

I was a junior Minister in the Attlee Government of 1945—51; sometimes now when those of us who are left foregather to talk over the old days, the two events that we single out as markings for us, the greatest achievements of that Government, the highlights of that as we regard it, of the great reforming post-war Government of 1945, are first the Bill for Indian independence and the Bill that established a National Health Service.

We have travelled a long way since then. I know Prime Minister, from the way in which you discuss our affairs that you still watch pretty closely what we are doing. Although our two countries parted, we do share part of the same history and we have never broken the real affinity between our countries and our peoples. We share membership of the Commonwealth. Each of our democracies is committed to personal and political freedom, to economic and social justice and to peace. We cannot talk about the relationship between our two countries without due recognition of these common ties.

In what I have to say today I hope to look to the future. But in doing so, we can remind ourselves of the past. It is a source of pride to us that Mahatma Gandhi was, like so many other Indians, a law student in London, became familiar with the liberal tradition of British thought, drew on it, as you yourself have said, Prime Minister, Desai, in formulating his political philosophy and wove it into a pattern that has influenced this great country of six hundred million people even today.

Certainly your economic achievements in the past 30 years have been impressive by any standards. Your industrial production has risen by four times and your exports by six times. May I say in passing that in view of your success in this direction, I hope you buy as much from the United Kingdom as we are now buying from you.

Your industrial capacity makes you the tenth largest industrial country in the world. And despite all the developmental problems with which you have had to wrestle, food production has kept pace with the growth of population, and you now have 20 million tonnes of foodgrains in reserve.

I welcome the new emphasis which India is giving to rural development. It is an example of great importance to the world. I want to come back to the importance of India's example a little later. But, in this matter of rural development, here in India you know better that 70 per cent of the population live in the countryside. There are many developing countries where the proportion is even greater.

In India you are increasing the yield per acre; you are raising the standards of health and of education in the countryside. if you can achieve a lasting success in this area, you will have given a new hope to a large part of mankind and you will have set an example to many other countries who do not have the influence that you possess.

It is for this reason that I personally became concerned with and have espoused the proposal that Britain should donate fertiliser to India to the value of some £10 million a year for the next three years. It is important how we see the concept and I have been very glad indeed that we have been able to agree to this with the Fertiliser Corporation of India, namely, that this fertiliser will be sold to the villagers in about 100 Blocks comprising some 35,000 individual villages spread throughout India and the proceeds of the sale will then be given by the Fertiliser Corporation of India back to the villages and a committee in each village will be formed to decide how the money should be spent in order to benefit the village as a whole and in particular, its poorest members, to raise them up. That seems to me to be an example of self-help in which a little aid from an outside country can stimulate a great activity within the community itself, and we shall watch the progress with a very friendly interest.

You have shown, Prime Minister, you have shown, Members of Parliament, what can be achieved within a democratic system. Your example is a striking and heartening illustration of what you and we believe—that democracy and development can go together successfully. You have not measured your progress solely in economic terms; the evidence of social progress is there for all of us to see.

The great campaign for literacy—the network of schools and colleges—that have been established throughout the country—this is

truly impressive. It is no easy task against the background of poverty.

But, despite these achievements, despite the new Universities and the grown-up Universities and despite the great progress you have made, there is still a long way to travel before we can create for the people of the world, a truly just society. We know where we want to go, we know what we want to achieve. But more and more we find that, as individual countries, we cannot travel the road alone. No nation today is an island to itself. And the new political factor which dominate world progress in every field of endeavour for the remainder of this century and beyond is that nations depend upon one another; the actions of one can affect the welfare of the other.

And it is the growing recognition of the relative ineffectiveness of most of us acting on our own that has led to the formation of regional groups or functional groups of nations acting together, to exert an influence collectively that they cannot wield individually.

I should, therefore, like to spend a few minutes discussing the consequences of this state of affairs and to suggest to you that our two countries, with our long ties of friendship and understanding, have something to contribute together to the new order that is beginning to emerge.

In essence I would be happy if my visit could be the beginning of an attempt by both of us to build a new framework of cooperation between India and Britain in jointly facing the problems of the modern world.

New technologies, vastly improved communications, the availability of modern methods of production and distribution have all combined to create this inter-dependence.

When the advanced industrial countries—America, Germany, France, Japan, Britain and others—go into recession we pull one another down.

The contraction of each industrial economy diminishes demand for the products of the other. Then the effect is felt in the secondary world. The less developed countries begin to suffer a reduction in demand for their commodities and for their raw materials.

Inflation too, from which many countries have been suffering, saps the economic strength of weaker countries as well. Instability

in any of the major trading countries causes uncertainty and disruption in the terms of trade of all countries. Constraints in the supply of any important raw material damage the prospects of all those who depend on it. A major crop failure in one country forces up the price of food away beyond its borders, depressing the lives perhaps of millions.

It is not easy now to stand aside. In Europe this has brought nine nations together in the European Economic Community, with three others applying for membership—Greece, Portugal and Spain. This community already the biggest trading group in the world—bigger than the U.S.A., bigger than the Soviet bloc, bigger than Japan—but even so big as it is, large though we are this bloc is still vulnerable to economic events in the rest of the world.

In other parts of the globe, regional economic groupings have formed or are forming with greater or lesser effectiveness.

But it is not just in the economic sense that nations are seeking co-operation with each other to survive. Nations must come together to secure peace, to advance individual freedom and human rights as well as to close the gap between rich and poor countries.

The mutual inter-dependence of nations has meant—and must mean—new associations, new relationships, new spheres of influence that we recognise but we must be on our guard to prevent them from becoming mutually exclusive; were they to do so, they would represent a new hazard, a new threat. They must not sever old relationships.

In this connection, the Commonwealth has an important role to play, bringing together industrial countries and primary producers, developed nations and developing ones rich and poor, men and women of all races and colours, in equal partnership.

Mr. Prime Minister, as you referred to the fact—Britain and India are fortunate to be founding members of the Commonwealth, for both of us it is one of several overlapping relationships as I have already indicated. We have no doubt of the value of the Commonwealth relationship, and we shall work vigorously in the future, as we have in the past to maintain and develop its work.

I suggest that here is the beginning of a new Indo-British framework of co-operation to deal with world and regional problems. We should consider how best we can co-operate together and use our

combined influence in our own spheres of influence and in world groupings. In doing this, we should be able to exert greater influence in building the world we want; but also at the same time, and this is of importance, our own historic ties of friendship should become closer between our countries.

We have much in common—we are both countries which look beyond our own shores. For you, increasingly, as well as for us, foreign trade is an essential part of our society. And so, too is foreign travel. There are today more of your countrymen living in the U.K. than there were ever U.K. citizens in India during the years of the Empire.

If I am asked what is to be the brightest jewel in the Crown, I should reply that it will be in the Commonwealth to build a truly equal multi-racial society.

Britain and India are one in upholding deep convictions about man and his world. We both believe in the rule of law; our legal systems are intertwined. We both believe in freedom of the press. We both reject the closed mind: it was your poet who said: "We shut the door lest error enter in, but Truth asks 'how shall I admission win'."

India has proved her devotion to these same ideals, yours as much as ours, in the events of 1977. You referred to them, Mr. Prime Minister, and it would not be for me to make any comment except this.

Let it be remembered by all those who attack democracy that it was a decision of the previous Administration, that an election was called and a verdict was given.

The Indian people achieved a peaceful and orderly change of Government, representing their wishes as expressed freely through the ballot box. It sounds simple enough, but it is not.

How many countries in human history have been able to do it? None, as large as India, with its vast population. Even long established political systems have failed to maintain a democratic system.

The truth is that democracy is the most difficult system in the world to practice, but when it is properly worked, it produces the most stable results and the least arbitrary form of Government.

The manner and style of democratic India is such that your success has endowed you with the influence that automatically follows those where the Government is legitimately based on the will of the people. Now, I sometimes talk to Indian leaders. I don't know discussing this with Pandit Nehru; no, not discussing, because I was much younger. He was sitting in a room in the Indian Embassy in London, talking to a group of young Labour Members of Parliament, and he said that India did not aspire to leadership. Well, I did argue with him for a little time. But the truth is that, whether or not India aspires to such influence is inherent in the fact that you are a practising democracy, and leadership flows from that very fact and cannot be escaped, and the responsibilities go with it. That is as well, because, the challenge before the world is very great.

Our supreme goal is peace in a world whose benefits are fairly shared. But it is not possible to take great strides forward until we have cast aside the burdens of poverty, illiteracy, discrimination and armaments.

My present visit to Southern Asia and my talks with your leaders have reminded me once again, in stark and human terms, of the gulf between rich and poor countries, and that we should travel more regularly, because, the imagination can get blunted; the memory can be short, the starkness can be obliterated, and we can forget the difference between the rich and the very poor, and most of all, what degradation is caused to man and women by poverty. I do not pretend that it is going to be easy to solve this problem, for, it is not.

You in this audience understand well the economic complexities and hazards involved in bringing about a transfer of resources between countries.

Take a recent example. It was certainly never the intention of the oil-producing States that the massive uplift in the price of oil should have borne hardest upon the developing countries, those least able to take an additional burden. It was never their intention, but it happened. And let me add that since the impact became clear to them, the States that benefited have made substantial efforts to offset the consequences to the poor countries by means of loans and grants.

The problem of inflation and the oil deficits and imbalances of the past three years or four years have led to a new examination of

our international institutions, both political and financial. These institutions were set up after 1945 and have led to a quarter of a century of unparalleled growth in the world. Now the question for us is whether or not that period is coming to an end.

I had and I still have hopes that within the international dialogues of 1977—UNCTAD and CIEC, the Downing Street Summit of the major industrialised countries—we should have found some new instruments. We were and should be working together to lay the basis for a better-balanced and more equitable economic order. I cannot say that we have yet succeeded, but it is essential that, in seeking to develop the world's financial and commercial systems, to ensure continuing growth and a more equitable sharing of the world's growing wealth, the changes we make should be well-conceived and should be practical. The essential thing is that we be ready for change.

There is already agreement on a number of basic points of principle—for example, in relation to some of the discussions that we held internationally in 1977 that we should establish a common fund, geared to existing and future international commodity agreements, to help stabilise the prices of raw materials. I am very sorry—and I am sure you must be too—that the negotiations on how this might be done have been suspended.

You and we together, in this new framework of cooperation that I suggest to you ,should work for an early resumption of the talks. India could use her great influence with the group of 77 to this end. We in Britain can play our part in the developed world. Both of us could carry forward the discussions that British and Indian officials and experts started at our suggestion, Mr. Prime Minister, when we met at the Heads of Governments meeting in last June in London, and our officials and experts came to Delhi and had a discussion with yours and I would like to suggest that we should resume those again.

Another vital task, leaving the economy aside for a moment, within our framework of cooperation should be to help rid the world of the course of racial discrimination—starkest of all in Southern Africa. All our efforts so far have failed.

You would remember Prime Minister, Desai, the discussions we had at the Commonwealth Heads of Government meeting last June. We were asked to try again. 35-36 nations of the Commonwealth said: We had a debt and we should try to redeem it. Following the

discussions at that meeting, we decided to try again, with the United States, for a solution in Rhodesia. We are very grateful for American assistance and influence in this matter, for this is likely to be the last chance to achieve a solution by peaceful means. The consequences of failure are incalculable.

I urge Mr. Smith and the nationalist leaders to recognise that the British and United States plan is the only hopeful way forward, the only alternative to growing terrorism, to bloody war going beyond the borders of Zimbabwe.

Here is an area where the voice of India is listened to with respect. You won your independence by non-violent means. That is why it has lasted. That is why democracy has survived here.

You have given support for the joint United States-United Kingdom initiative and this has added to the prospects of a peaceful settlement based on the principle of "one man, one vote" in free elections resulting in a democratically-constituted government.

What we require from Mr. Smith is a recognition of that principle, and his willingness to see it carried into effect. What we need from the nationalist leaders is that they put aside their own differences and act together as a unified group, and if they do so, success will be in their hands and Zimbabwe can become self-governing and what is more, they can remove a cancer from the heart of Africa.

Prime Minister, discrimination, whether of race or sex or religion, is evil. We, in Britain, have seen it in recent years, emerge in new ways, in changing situations. I would like to say to this great assembly that the United Kingdom Parliament has passed measures to give protection against discrimination of any knid. That is the law of Britain. We have created new institutions—a Community Relations Commission and an Equal Opportunities Commission—to give effect to these principles.

I would not claim that legislation or the institutions that we have set up have solved the problems in this matter. But I do claim that there is a sincere commitment by Parliament, by political leaders in Britain and by people to a fair society in which men and women live on equal terms and respect each other, and we shall not waver in our struggle to uphold these beliefs and principles.

Poverty and racial discrimination are two evils which daily blight the lives of hundreds of millions of people throughout the

world. But the world faces yet another formidable problem. This is the weight of armaments—and more sharply still, the potential for a nuclear destruction of our civilisation, from which neither the rich nor the poor will escape.

The problem of controlling nuclear development in the world is immense and it is urgent. Its purpose is to lessen the risks that grow with every year that passes, so that nuclear energy can be properly used to bring benefits to mankind by its peaceful use.

As you know, the United States, the Soviet Union and the United Kingdom are at present engaged in serious negotiations that I trust will lead to a comprehensive ban on nuclear explosions.

Concurrently, we must work to secure agreements that will reduce the stock of nuclear weapons now held by the major powers. This would require major constraints.

It is my judgment, having had the advantage of discussing these matters with the leaders of the two great powers, the United States and the Soviet Union, that both sets of leaders are in the earnest in their intentions because of their knowledge of the dreadful consequences that could follow from an unlimited supply and spread of these weapons throughout the world.

As I see it, the heart of this grave and complex problem is the trust we shall require in each other as nuclear energy spreads. That will require trust but it needs to be fortified by measures that will ensure that our confidence is not misplaced.

We cannot undo what has been done. But I put this proposition to you. If confidence can be fostered through a comprehensive test-ban treaty, if there is a strategic arms limitation agreement between the United States and the Soviet Union, if there is an agreement among all of us, to accept safeguards on our civil installations, the world shall have taken a long step on the road to the peaceful uses of nuclear energy for the benefit of our people. It is to translate these principles into action, where we are all agreed. We need for the future of the world to act. It is our challenge and our responsibility before it is too late.

The relief of world poverty, racial discrimination, the lifting of the burden of armaments, are all grave issues that give India and Britain an opportunity to work together to find solutions.

Neither of us would pretend to control the actions of other governments. Neither of us is a super-power.

Both of us are great countries, and each has a voice that is listened to in the world because we are democracies. And if—with our shared ideals—we are able to take common view, the world will listen more closely.

We already have a long record of co-operation in the United Nations. We were both founder-members.

When the first great leaders of independent India decided that she should remain in the Commonwealth, you set a pattern that has been followed by others, until it has grown into a large multi-racial family, easier in style, more open in discussion, with less need for formal communiques or declarations than the other international gatherings to which we belong.

Both countries believe in the Commonwealth. It has shown us how family problems can be resolved by discussion and cooperation with each other. We will continue to work to strengthen its influence.

If we are to embark upon a new framework of co-operation, both governments will need to bring our people even closer together and to encourage them to learn more about each other. Since I have been here, you have emphasised to me how many of your countrymen listen daily to the BBC overseas services—millions in all parts of India listening to the broadcasts in India's four main languages.

I can also say to you that every Sunday in Britain in morning our domestic television service puts out a programme conducted in the languages of the sub-continent especially for Indians who have made their home in Britain. I know that is appreciated too. This programme is also watched by large number of British viewers, as many of our young people are especially interested and are being captivated by the culture and music of India.

Here truly is a fruitful relationship between us.

As far as the BBC service to India is concerned, I will tell my Cabinet colleagues of your strong views that an appropriate service to the sub-continent should be maintained, and will endeavour to see that we do so.

India and Britain are certainly very different countries. But different as we are, we share so much in common that we are well equipped,—if we will take up the challenge,—to contribute together to building a bridge of understanding between North and South, between developed and developing countries—if you like, between aligned and non-aligned, nuclear-weapon and non-nuclear-weapon States—through which better mutual understanding between the peoples of the world can flow.

That, Mr. Speaker, Mr. Deputy Speaker, Mr. Vice-President Mr. Prime Minister, is the aim of my present visit.

It is 30 years since independence—30 years since the old relationship between us was sloughed off. Now we meet again both of us different from what we were, perhaps both of us wiser.

My hope for the future is that India and Britain can now begin a new, modern, equal partnership for the benefit of all our people, and as our joint contribution to peace, prosperity, social justice and democracy throughout the whole world.

Thank you very much.

SPEECH BY SHRI B. D. JATTI, VICE-PRESIDENT OF INDIA AND CHAIRMAN, RAJYA SABHA

Your Excellency, Prime Minister Shri Desai, Excellencies, Members of Parliament, Ladies and Gentlemen:

I have the honour and the privilege to express on my own behalf and on behalf of the Indian Parliamentary Group which functions as the Indian Branch of the Commonwealth Parliamentary Association, our sincere gratitude to the Rt. Hon. James Callaghan for his having spared some time in the midst of a busy schedule to meet with us. Listening to his very thought-provoking and inspiring

address has indeed been an exhilarating experience for all of us. May I assure him how greatly we value and reciprocate the sentiments expressed by him on Indo-British friendship and co-operation.

. The New Year has had a very auspicious beginning for India. Only last week, we have had the privilege of receiving and hearing President Jimmy Carter of the United States, in this very historic Central Hall of Parliament, and today we have with us the Prime Minister of another great and friendly country, the United Kingdom. Mr. Prime Minister, I have no doubt that your visit in the beginning of this New Year marks the beginning of a new phase in our relationship, and will give a fillip to the renewed efforts that our two Governments are currently making for a better understanding and closer co-operation and collaboration in various fields.

As was rightly mentioned here earlier, the peoples of Britain and India have been enjoying a long-standing and unique type of relationship for several hundred years, a relationship of inter-twined experience, which is not static but is changing all the time. It was perhaps this attribute which helped in the transformation of a historical relationship from an Empire into a Commonwealth and our country into a sovereign democratic republic in a manner which both our countries can be rightly proud of.

We greatly value our relationship with the Commonwealth because despite its multi-racial and multi-continental composition, it enables its member-nations, both rich and strong as well as poor and weak, to meet in a common forum and arrive at a consensus on problems of common concern. It is undoubtedly a unique association which recognises the complete independence of member-nations in pursuing their external and internal policies and at the same time continuing a tradition of co-operation in promoting their common interests in an atmosphere of complete informality, without being hedged in by any elaborate procedures.

The Commonwealth Parliamentary Association, a forum of elected representatives of the peoples of the Commonwealth is one of the many useful instruments that have been evolved over the years for promoting and strengthening this much-needed Commonwealth co-operation.

Apart from the similarity of our parliamentary institutions and the systems of government, frequent bilateral exchanges in the economic, technological and other fields have contributed significantly

in bringing us closer to each other. Our regular contacts and consultations at various levels in the Commonwealth forums and other international bodies have helped our two countries in evoloving a commonality of outlook and approach to many vexatious world problems.

Mr. Prime Minister, need I say how happy we are that you have made it possible to visit India at a propitious time when we are making a renewed bid to continue our gigantic experiment of bringing about a socio-economic transformation so as to reach speedily the goal of ensuring a better standard of living for the millions of our country-men. We are doing all this within the framework of our democratic set-up which has withstood many challenges to its existence. In this context, we greatly value the goodwill and understaning shown by your country in our efforts to consolidate our political system and usher in an era of orderly socio-economic development. During your sojourn in our country, I do hope that you can have some glimpse into India's past glory as well as the resurgent India of today. You would also see a little bit of the Indian countryside and the life-styles of our people.

Deeper understanding is the basis of friendship and cooperation. This aspect is particularly valuable in a world abounding with friction and tension and in need of a more coordinated effort. Frequent exchange of visits at various levels go a long way in further strengthening of relations between friendly countries. As such, your present visit is bound to go a long way in giving a positive direction to Indo-British relations.

May I once again express my sincere thanks to Your Excellency for joining us today. We shall all cherish the memory of your address in this Hall where the voice of the people rings as clearly and gloriously as at Westminster.

Thank you.

4

PARLIAMENTARY EVENTS AND ACTIVITIES

ADDRESS BY SHRI K. S. HEGDE AT THE CONFERENCE OF PRESIDING OFFICERS HELD AT BHUBANESWAR ON THE 19TH JANUARY, 1978.

Friends,

It is with immense pleasure that I join with the Presiding Officers of the Orissa Legislature to extend a most cordial welcome to all of you assembled here for this annual meeting of the Presiding Officers this morning. I am a newcomer to your fold. I am sure that I will get your guidance and support in conducting the proceedings of this Conference. I have been a legislator for over five years. That was long time back. But the best part of my life was spent in the Judiciary. That experience is of some help to me. I was rather keenly looking forward to this meeting with all of you from what I had already heard about this institution of ours—the kind of atmosphere and the nature of deliberations here, leading to a community of outlook and approach in respect of the various problems that we as Presiding Officers face in common in our individual Legislatures. I am, therefore, genuinely happy to be able to spend the next two days with you and gain from each other's experience.

2. There is in my view no happier convention than our assembling in a different part of the country every year, a practice which has only served to subtly reinforce as much our sense of the spiritual unity of our people as our own fraternity as members of a happy family. We are meeting perhaps for the first time in this hallowed territory of Orissa. Orissa is a petal—as one of her own poets happily described—in the full-blown lotus that is India (Bharat-pankaja dalam idam Utkala-mandalam). Orissa is not merely a land of many rivers; on her soil have met many influences to fertilize and enrich her culture and give her an identity of her own. With her distinct traditions in music and dance, art and architecture, which pay homage to the secular as much as to the spiritual, Orissa has made her own contribution to the mainstream of India's cultural life. From here Lord Jagannath has beckoned through time, all and

everyone from the far corners of the land, the high and the low, proclaiming the message of universalism to all the world. Does not Orissa, which has kept her spirit burning bright throughout the ages symbolize in a unique way the spirit and soul of India?

3. Before I proceed further, I might refer to our great loss in the passing away of Shri Fakhruddin Ali Ahmed, the late President of India, who had filled the highest office in the land with quiet dignity and distinction. A staunch nationalist, steadfast in his devotion to the ideals and values of our national life, deeply religious but secular in his outlook and conduct, Shri Ahmed was a unique personality. During his long association with Parliament he was loved and respected as much for his amiability and unfailing courtesy as for his parliamentary skill.

4. I might refer also to the sad demise of our old friend Shri Sheo Narain Fotedar who, as Chairman of Jammu & Kashmir Legislative Council from 1957 to 1971, was associated with this Conference for a long time. Shri Fotedar passed away on December 6, 1976. Shri Fotedar, by all accounts, was a man of rare charm and ability, who actively participated in this Conference for more than a decade and made valuable contributions at these meetings.

5. Shri G. G. Swell, who had been attending the Conference as Deputy Speaker of Lok Sabha for the past some years has been, as you know, appointed India's Ambassador to Norway. We wish him every success in his new assignment.

We are very glad to welcome in his place Shri Godey Murahari, the new Deputy Speaker of Lok Sabha. Shri Murahari is not new to you since he has been attending this Conference as the Deputy Chairman of Rajya Sabha.

6. Shri Ram Niwas Mirdha, who succeeded Shri Godey Murahari in 1977 as the Deputy Chairman of Rajya Sabha, is also with us today and we extend to him a very hearty welcome. Shri Mirdha is also not a stranger since, as the distinguished Speaker of Rajasthan Legislative Assembly for about ten years, he has been attending these Conferences in the past.

7. Since the last Conference at Simla in May-June, 1976 there have been a number of changes at the Centre as well as in the States in so far as the Presiding Officers are concerned. Beginning with myself, I came to occupy the Chair in Lok Sabha when my distinguished predecessor Shri N. Sanjiva Reddy vacated the office on the eve of his election to the highest office in the land, as President of

India in July, 1977. He had a memorable tenure as Speaker of Lok Sabha on two occasions. We convey to him our sincere good wishes for success in his high office.

8. After the last General Elections in the States, several of the former Chairman, Speakers, Deputy Chairmen and Deputy Speakers have been changed. We do miss the former incumbents. We convey our best wishes to them.

9. I feel privileged and have great pleasure now in extending a very hearty welcome to our new colleagues Sarvashri Tripurari Prasad Singh, Speaker, Bihar Vidhan Sabha, Brigadier Ram Singh, Speaker, Haryana Assembly who is of course not so new to this Conference because of his having held the office of Speaker earlier from 1968 to 1971; Sarvan Kumar Speaker, Himachal Pradesh Vidhan Sabha; Malik Mohi-Ud-Din, Speaker, J & K Assembly; Chakkeeri Ahmedkutty, Speaker, Kerala Assembly; Mukund Sakharam Newalkar, Speaker, Madhya Pradesh Vidhan Sabha; D. S. Desai, Speaker, Maharashtra Assembly; Vitsonei K. Angami, Speaker, Nagaland Assembly; Satyapriya Mohanty, Speaker, Orissa Assembly; Sardar Ravi Inder Singh, Speaker, Punjab Vidhan Sabha; Laxman Singh, Speaker, Rajasthan Assembly; B. B. Gurung, Speaker, Sikkim Assembly; Munu Adhi, Speaker, Tamil Nadu Assembly; Banarasi Das, Speaker, Uttar Pradesh Vidhan Sabha; Syed Abdul Mansur Habibullah, Speaker, West Bengal Assembly; K. Kandhi, Speaker Pondicherry Assembly; Kalka Dass, Chairman; Delhi Metropolitan Council; Radha Nandan Jha, Deputy Speaker, Bihar Vidhan Sabha; Vijai Pal Singh, Deputy Speaker, Haryana Vidhan Sabha; Ranjit Singh Verma, Deputy Speaker, Himachal Pradesh Vidhan Sabha; Janak Raj Gupta Deputy Speaker, J. & K. Assembly; R. G. Jagirdar, Deputy Chairman, Karnataka Council; P. K. Gopalakrishnan, Deputy Speaker, Kerala Assembly; S. V. Patil, Deputy Speaker, Maharashtra Assembly; O. Joy Singh, Deputy Speaker, Manipur Assembly; Surendra Nath Naik, Deputy Speaker, Orissa Assembly; P. L. Nayar, Deputy Speaker, Punjab Vidhan Sabha; Ram Chandra Deputy Speaker, Rajasthan Assembly; Shri Kalzang Gyatso, Deputy Speaker, Sikkim Assembly; S. Thirunavukkarasu, Deputy Speaker Tamil Nadu Assembly; Kalimuddin Shams, Deputy Speaker West Bengal Assembly; Makhanbhai M. Bhathela, Deputy Speaker, Goa, Daman & Diu Assembly; S. Pazhaninathan, Deputy Speaker, Pondicherry Assembly; and Begum Khurshid Kidwai, Deputy Chairman, Delhi Metropolitan Council.

10. Since the last meeting at Simla several developments have taken place transforming totally the political atmosphere in the

country. The stakes were indeed high when the people were called to the poll last March, with the result that the last General Elections assumed a cruciality unprecedented in the annals of the democratic world. By the manner in which they exercised their franchise, the people of India reaffirmed their unequivocal commitment to freedom and their faith in the democratic processes and institutions to bring about the most far-reaching changes in the polity.

11. The outcome of the elections was a reminder that in a democracy the common man could never be taken for granted. Events of the recent past were a pointer too to the dangers inherent in a situation where communication between the people and the Government snaps or is choked and the leadership at the helm of affairs loses touch with the realities in the field and the feelings of the people. More important still, these developments have reaffirmed the truth that freedom is not won for ever, but has to be continually realized and redeemed by a free people all the time.

12. Happily the clouds of Emergency have now lifted, but—as I am sure all of you would agree—this is no hour for complacency. Our central concern should be as to how to consolidate our freedom. Freedom is not a release, but a responsibility—responsibility for choice as to our ends and means, the values we shall cherish and the principles we shall go by as a people, and the norms we shall set for ourselves in our personal and public life. And upon how wisely we choose, and live up to it would depend our future as a free nation.

13. I would go further. It is not enough to be free unless we are liberated in our spirit, unless we are led on to a state of higher freedom in which the individual finds fulfilment in self-abnegation, in cheerful adjustment of narrower interests and loyalties to the end of the general good. I have in mind a societal order which is conducive to the full blossoming of the individual, and in which individual welfare coalesces with the overall community well-being and progress.

14. Turning to our own sphere, if we would take a closer look, it would be obvious that the recent developments have their direct implications for us as presiding officers. In the Lok Sabha, after the recent elections, we have a sizeable element of new membership and, I take it, it must be so in many State Legislatures as well. This was only to be expected. In the hour of freedom we boldly adopted, as an act of faith, universal adult franchise, the implications of which are now emerging with time. Politics, in my view, is now finding its

level. With the growing politicisation of the masses at the grass-root level through the very operation of democratic politics over the years, we have now an electorate that is politically awakened, that has its hopes and expectations and its vision of the future, and is, therefore, restive, articulate and more and more vocal. The new representatives sent up by this electorate to our Legislatures naturally share its mood and disposition. These new members may not all of them possess previous legislative experience; they may or may not be well versed in parliamentary lore; but they know what they want to say, they do know what the people who have sent them want. And Legislatures are the forum where the diverse interests and forces in a competitive democratic polity have to meet for a civilised on-going national dialogue as participating constituents in the system. It is on the legislative floor that the tensions in the society have to be played out and creatively harmonized. And it becomes our duty as presiding officers to help our Legislatures function to this end.

15. In practical terms it means several things. It means, first of all, that we ensure all the time that the rules and practices in our Legislatures, which are intended to serve as a framework for the smooth regulation of the traffic of parliamentary business do not act as road blocks and frustrate private members' initiative in bringing up matters of current importance requiring urgent consideration. In admission of notices, in giving consent to proposals for discussion and in various other situations, we would have to show enlightened accommodation—keeping in mind the basic criteria of larger public interest.

16. We have to keep under continuous review our procedures and practices so that they stay apposite to the emerging needs. We have to give thought to devising appropriate institutional arrangements within our Legislatures to facilitate realisation of parliamentary aspirations of Members. In the new context particularly, we have to take special care that the information needs of members are adequately provided for to enable them to properly discharge their duties as poeple's representatives.

17. All this, I know, is by no means an easy task and, if anything would sustain a presiding officer, it could only be his deep-seated faith in the philosophy and destiny of free institutions in our day.

18. Let me now proceed to the customary survey of procedural and other developments at the centre since the Simla Conference in May-June, 1976.

19. A significant outcome of the last General Elections to Lok Sabha, welcome from the parliamentary point of view, was the emergence of an Opposition Party, recognised as such, in Parliament and the recognition of its Leaders in the two Houses as Leaders of the Opposition.

As a corollary to this, following the example of other parliamentary democracies, Government brought forward legislation during the last session of Lok Sabha to accord statutory recognition to the Leaders of the Opposition in both the Houses and to provide them with salary and other appropriate amenities commensurate with their functions and status. The measure viz., the Salary and Allowances of Leaders of Opposition in Parliament Bill 1977, now passed by Parliament, provides for a salary, a rent-free furnished residence, and certain other allowances and facilities to them.

20. During the last Budget session Lok Sabha bade farewell to my distinguished predecessor Mr. Speaker Sanjiva Reddy, who relinquished his office before filing his nomination as the consensus candidate for the office of the President of India. Shri Sanjiva Reddy, as you know, is one of our very successful Speakers who had won the affection of all sections of the House. It was rather a touching moment when Shri Reddy took leave of the House, as members rose in their places to give him a standing ovation. Shri Sanjiva Reddy had taken an active part at these Conferences and provided dynamic leadership at crucial moments. Earlier, Shri S. L. Shakdher, Secretary-General of Lok Sabha, laid down his office to become the Chief Election Commissioner of India. The departure of these figures from the parliamentary scene left, no doubt, a sense of void but I am sure all of us are happy over their elevation to the important positions they have now come to occupy.

21. While announcing the laying down of office by Shri Shakdher, my predecessor Speaker Reddy informed the Lok Sabha that in appreciation of Shri Shakdher's long and devoted service, following a past precedent, he was being appointed Honorary Officer of the House. As all of you may be aware Shri Avtar Singh Rikhy, who had been in the service of Government of India and the Lok Sabha Secretariat or well over thirty years, has taken over as Secretary of the House and the Lok Sabha Secretariat from June 18 last year.

22. It would be recalled with what sense of shock the country received the news of the accident near Jorhat in Assam in which the Air Force plane by which the Prime Minister was travelling was involved and the general sense of relief on learning of Prime Minister's providential escape, thanks to the dedication displayed

by the members of the crew of the ill-fated aircraft. At a meeting with Leaders of Parties and Groups on the eve of the last session of Lok Sabha, it was agreed that the following resolution be placed before the House as soon as the House commenced its first sitting on November 14, 1977:—

> That this House places on record its deep satisfaction and profound sense of relief and happiness on the providential escape of the Prime Minister, Shri Morarji R. Desai, in the air crash near Jorhat, Assam, on the 4th November, 1977.
>
> That this House further places on record its appreciation of the high sense of duty and patriotism displayed by the five members of the crew of the ill-fated aircraft of the Indian Air Force, who laid down their lives in order to save the life of the Prime Minister, and conveys its heartfelt condolences to the members of the bereaved families.

The resolution was moved from the Chair on November 14, 1977 and was unanimously agreed to.

23. Turning to procedural matters, under the Rules of the Lok Sabha, no debate on a statement by a Minister in response to a Calling Attention notice is allowed at the time the statement is made in the House, but every member in whose name the item stands in the List of Business may ask a clarificatory question with the permission of the Chair, such questions being required to be restricted to the subject matter of the notice. In answer to such a question on a Calling Attention statement made in the House on July 7, 1977, the Minister pleaded that the point raised by the member did not arise from the subject matter of the notice and as such he (the Minister) had no information to give at that moment. When the member who had called the Minister's attention proceeded to urge that the Speaker using his residuary powers might summon the Home Minister later on that day to furnish the information, my predecessor, Speaker Reddy, ruled that the Speaker had no such power to summon or compel a Minister to furnish the information sought by the member.

24. When talking of Calling Attention notices I may refer to the ruling I gave recently regarding the procedure to be followed in Lok Sabha in dealing with these notices. Under Rule 197 of the Lok Sabha Rules, Calling Attention notices received for a sitting on the same subject are balloted to determine their relative priority.

The same Rule makes provision for names of not more than five Members to be shown against a Calling Attention notice in the List of Business and further lays down that after the Minister's statement in reply to the Calling Attention notice, the Speaker may permit each such member to ask a question with reference to the statement made. A practice came to be introduced in the time of my predecessor under which when a ballot in respect of a Calling Attention notice was held the names of all other members who had tabled Short Notice Questions and notices under Rule 377 on the same subject were also included in the ballot. This procedure I found was giving rise to some dissatisfaction. It was felt that in such cases only the names of members who had tabled Calling Attention notices should be balloted and others who had given notice of adjournment motions, Short Notice Questions or other notices on the same subject should not be eligible to participate in the ballot unless they had given separate notices under Rule 197 since otherwise the chances at the ballot of those who had given Calling Attention notices were unnecessarily affected. I could see the force of the argument and therefore decided to revert to the old procedure under which names of only those members were balloted who had tabled Calling Attention notices.

Accordingly, I made an announcement in the House on December 6, 1977 detailing the procedure that will be followed in dealing with these notices. Under this procedure—

(1) All Calling Attention notices received upto 10.00 hours on any day will be placed immediately before the Speaker for his consideration. He will go through all of them and then select one of them for a statement by the concerned Minister at the sitting of the House on the following day.

(2) The Members who have tabled Calling Attention notices on the subject and the Minister concerned will be informed about the admission of the notice. The rest of the notices shall be treated as not selected and will lapse under the provisions of rule 197(5). Where a Member is not informed about the selection of his Calling Attention notice, he should take it that his Calling Attention notice has not been selected and no intimation about this will be given to the Member.

(3) Any Member whose notice has not been selected will, however, have the right to revive his notice for a sub-

sequent day by giving a fresh notice and such notice will be reconsidered by the Speaker along with other notices received for that day.

(4) The Calling Attention selected by the Speaker will normally be listed in the Agenda of the next sitting. However, the Speaker may in his discretion allow a Calling Attention at the end of the day on which notices are given if he feels that the matter is so urgent that the statement should be made on the same day.

(5) The ballot for determining the names of 5 Members for inclusion in the List of Business will be held on the day on which the notice is selected by the Speaker and all Calling Attention notices on the subject received upto 10.00 hours on that day will be included in the ballot.

(6) Names of only those Members will be balloted who have tabled Calling Attention notices on the subject.

(7) Similarly, the ballot under Rule 54(4) for clubbing names on an admitted Short Notice Question shall be restricted only to Members tabling Short Notice Questions on that subject and names of Members tabling Calling Attention notices on the subject shall not be included therein.

It was also made clear that the above procedure should not be understood to imply that the Speaker must admit a Calling Attention notice for each sitting, since admission of the notice was entirely subject to the rules and subject to the Speaker's judgment that the matter sought to be raised called for an urgent statement by the Minister.

25. On the opening day of the last session, I received notices of adjournment motions regarding the reported assault by RSS workers on a guide in Gandhi Smriti. I withheld my consent to their moving since I took the view that an adjournment motion was in the nature of a censure of the Government and in this particular case Government had nothing to do with the matter. Members, however, made submissions on the admissibility of these motions in the House, whereafter I reserved my ruling. On November 16, 1977, I gave my ruling reiterating my earlier decision to withhold consent to the moving of these motions, observing that an adjournment motion had an element of censure of the Government for either doing something wrong or for any serious

neglect of duty and the motions in question did not indicate any such act or omission on the part of the Government.

I, however, allowed a Calling Attention notice on the subject so that the position was clarified by Government.

26. The importance of observance of proper form and procedure in the conduct of parliamentary business hardly needs to be stressed. Under Rule 368 of the Lok Sabha Rules of Procedure if a Minister quotes in the House a despatch or other state paper which has not been presented to the House, he shall lay the relevant paper on the Table unless he states that the production of the document would be inconsistent with public interest or gives a gist or summary thereof to the House in his own words. During the last Budget Session, raising a matter under Rule 377, a member referred to the answer given by a Minister to an Unstarred Question wherein he had stated that the building plans of the former Prime Minister's house would be placed in the Parliament Library. The member submitted that this procedure would be contrary to rules and that the building plans in question should be laid by the Minister on the Table of the House. Keeping in view the letter and spirit of the cited rule, I ruled that whenever any document was to be placed for the benefit of the House, it should actually be laid on the Table of the House and not merely placed in the Library. Later, the Minister accordingly laid the document on the Table of the House.

The aforementioned rule regarding laying of papers quoted cannot obviously entitle a member to lay on the Table any paper or document quoted which may not be directly germane and may have been referred to in the heat of political controversy.

27. One of the problems which every Presiding Officer faces is how to check interruptions by a Member who continues to speak in spite of the Chair asking him to resume his seat. During the last Session of Lok Sabha, on November 24, a Member raised a point regarding notice of his Adjournment Motion and persisted in speaking in spite of my asking him not to speak further on the matter. I thereupon directed that further proceedings need not be recorded. When the Member wished to know the rule under which the proceedings were not being recorded, it was pointed out that under the rules nobody could speak in the House without

the consent of the Chair. On the following day, when the Member again raised the matter and wanted to know under what specific rule recording of proceedings could be stopped, I ruled that when a Member persisted in speaking in spite of the Speaker asking him not to speak, the Speaker under his inherent powers could direct that the relevant proceedings be not recorded.

28. It is certainly a somewhat unusual occurrence for an amendment for reference of a Bill to a Select/Joint Committee already moved in the House being subsequently held to be not in order by the Chair. But this is what had happened in the two-week special Session of Lok Sabha in October-November, 1976. During that Session, while moving his amendment for reference of the Constitution (Forty-fourth Amendment) Bill to a Joint Committee, the Member concerned informed the House that he had taken the consent of the Members proposed by him on the Joint Committee. The following day, however the Deputy Speaker, who was in the Chair informed the House that two of the Members specified in the motion had written to the Speaker that their consent had not been taken. The Deputy Speaker allowed the Members concerned to make personal explanations, after which he ruled that as it was established that the consent of the Members had not been obtained, the motion was irregular and would not be put to vote.

29. During the last Budget Session, the Finance (No. 2) Bill, as passed by Lok Sabha, was transmitted to the Rajya Sabha for its recommendations. Rajya Sabha created a new precedent when, for the first time in the annals of the Indian Parliament, it returned the Bill with some major recommendations. The Constitution as you know, provides for such a situation in Article 109, under which Lok Sabha may either accept or reject all or any of the recommendations made by Rajya Sabha, and in the event of rejection by Lok Sabha of all the recommendations, the Bill is deemed to have been passed by both Houses in the form initially passed by Lok Sabha. The recommendations made by Rajya Sabha were considered by Lok Sabha and were rejected. The Bill was then submitted to the President for assent in the form in which it was passed by Lok Sabha.

30. Towards the close of the last Budget Session, Lok Sabha discussed a motion of censure against the Home Minister. The motion sought to record the House's 'indignation against and disapproval of the conduct of the Home Minister' for his 'acts of

commission and omission' in the three instances listed in the motion. I had admitted the motion under rule 184 relating to motions in general. When the item was taken in the House, several Members rose on points of order over the admissibility of the motion. It was contended that there was no provision in the Rules for a censure motion against an individual Minister of the kind brought up and, in view of the collective responsibility of the Council of Ministers, it should have come up in the form of a motion of no-confidence against the Council of Ministers, for which a separate procedure existed. It was argued that the motion was not in order as (a) it raised three different matters, (b) it sought to revive discussion on a matter which had been discussed earlier (the 'Belchi incident') and (c) the 'Belchi incident' referred to in the motion was also the subject of an Inquiry. I pointed out that in the absence of any rule either for or against such a censure motion, going by previous precedents, I had admitted the motion. As for the contention that it did not relate to one definite issue and raised three different matters, I held that those were only three illustrations which related to a single issue. As for the contention regarding the Belchi incident, since a criminal case was pending in a court of law in respect of the incident, it was obvious that the *sub-judice* rule would have to apply and I ruled out of order part (a) of the motion referring to this incident. The censure motion was accordingly confined to the remaining two parts. The motion after discussion was negatived.

31. Let me now proceed to privilege matters. In July, 1976, the Deputy Inspector General of Police, Central Bureau of Investigation, had requested the Lok Sabha Secretariat to make available to the CBI admitted writings of a certain Member of the Fourth Lok Sobha in connection with the investigation of a case by the CBI. Following the procedure laid down in this behalf by the Committee of Privileges of Second Lok Sabha (in their First Report adopted by the House on September 13, 1957), the the matter was referred to the Committee of privileges under Lok Sabha Rule 227. Although the documents were for the time being required by the CBI for purposes of investigation, the Committee felt that it was quite possible that they might ultimately be required to be produced in a court of law. The Committee recommended in their Eighteenth Report presented to the House on August 16, 1976, that two notices purported to be in the handwriting of the Member and bearing his signatures, available from the Lok Sabha Secretariat files, might be made available with the

permission of the House, to the CBI, as requested by them. The Report of the Committee was adopted by the House on August 20, 1976, and thereafter the documents were accordingly made available to the CBI.

32. The practice of handcuffing by the police is, as you know, frequently in the news and has been the subject of much comment in recent months. It is not as if there is no clear procedure in this regard. The Committee of Privileges of Lok Sabha had to deal with a case of handcuffing of a Member of Lok Sabha by the Police while he was being taken from the jail to a Magistrate's Court in Bihar. The Committee in their Nineteenth Report presented to the House on August 31, 1976, noted that the Union Home Ministry had repeatedly issued instructions to all the State Governments and Union Territory Administrations that persons in police custody and prisoners, whether under-trial or convicts, should not be handcuffed as a matter of routine and that the use of handcuffs should be restricted to cases where the prisoner is a desperate character or where there are reasonable grounds to believe that he will use violence or attempt escape. The Committee therefore, came to the conclusion that the handcuffing of the concerned Member of Lok Sabha was "in utter disregard and in defiance of the clearest instructions of the Ministry of Home Affairs as well as of the Government of Bihar, particularly those governing the Members of Parliament" and, as such, "the action of the concerned officials was highly improper and deplorable" and deserved to be "severely censured". The Committee expressed the hope that the instructions issued in this regard by the Union Ministry of Home Affairs from time to time would be strictly and scrupulously followed by all the authorities concerned and there would ordinarily be no occasion to handcuff prisoners, particularly those like Members of Parliament or of State Legislatures, peaceful *satyagrahis*, persons occupying good positions in public life and professions like journalists, jurists, doctors, writers and educationists. In regard to the case under reference, the Committee, however, recommended that no further action be taken by the House since the State Government had already initiated departmental action against the officials at fault.

33. During the last Budget Session I received notice of a ques-

tion of privilege against the Minister of Information and Broadcasting and the Chief Editor, News Services (English), All India Radio on the ground that in the 9.00 P.M. English News Bulletin broadcast by the All India Radio, on the previous night, it was stated that some of the Member's remarks made in the House on that day (August 4) were expunged by the Speaker, whereas none of his remarks had been so expunged. I called for a factual note on the matter as well as the transcript of the said broadcast from the Minister of Information and Broadcasting. The Ministry explained the circumstances in which the unintentional mistake had occurred and expressed regret for it. The Ministry had further stated that suitable instructions were being issued to AIR correspondents to be more careful with a view to avoiding recurrence of such mistakes. In view of the explanation given and the regret expressed, I closed the matter in the House with a word of caution that the accredited correspondents in the Press gallery, particularly correspondents of an official agency like the All India Radio, should be more careful in future, and whenever in doubt, they should always check up with the official record of proceedings of the House.

34. Turning to the Committees, a somewhat unusual situation arose when, with the dissolution of the Fifth Lok Sabha in January 1977, the work of the Public Accounts Committee and other Financial Committees came to an abrupt end. The Public Accounts Committee (1976-77) had adopted some reports but these had not been presented to the House. Also, some reports, approved by the Chairman, had not been placed before the Committee.

In the Sixth Lok Sabha, when new Committees were constituted in August 1977, it was decided by the Committees concerned that all the Reports which had earlier been adopted by their previous Committees as also other draft Reports which had in the meantime been drafted by the Secretariat should first be considered by the Working Groups|Sub-Committees of the new Committee and thereafter placed before the new Committee (1977-78) for final consideration and adoption. This was accordingly done.

35. I have already referred to the measure providing for salary, allowances and other amenities for the Leaders of Opposition in Parliament. Another important step taken earlier was the introduction of a pension scheme for Members of Parliament. As you may be aware, under this scheme, Members of Parliament with a minimum of five years of service are now entitled to a pension

ranging from Rs. 300 to 500 per mensem, depending on the number of years they have served as members. Incidentally, membership of the Constituent Assembly of India and of the Provisional Parliament is also taken into account for this purpose.

36. I might refer here also to certain other amendments made in the enactment relating to the salary and allowances of Members of Parliament. Previously, for the purposes of this Act, the term of a Member of Parliament was deemed to commence from the date on which the Member took his seat in the House. Now under an amendment made, a Member becomes eligible for his salary and allowances and other amenities from the date on which his election to the House is notified in the Gazette.

37. Provisions relating to travel facilities have also been liberalised to enable a Member of Parliament to carry forward the air journey facilities, not availed of by him during a session, to subsequent sessions in the same year. Another facility now provided to Members of Parliament is free travel by air during any part of the year when the place of residence within the constituency of a Member becomes inaccessible by road, rail or steamer due to climatic conditions.

38. I would like also to refer to the Silver Jubilee Celebrations of the Rajya Sabha. In our constitutional scheme the Rajya Sabha, a body not subject to dissolution and perpetually renewing itself, symbolises, as our Prime Minister happily put it, the permanence and continuity of the parliamentary institution. The Rajya Sabha completed its twenty-five years in May last year which, incidentally, also happened to mark the completion of the 100th Session of the House. At a solemn ceremony in the Central Hall of Parliament on June 21, the Acting President Shri B. D. Jatti, released a Commemorative Volume entitled *The Second Chamber—Its Role in Modern Legislatures* containing articles on different aspects of the Second Chamber in general and the functioning of the Rajya Sabha during its 25 years. At the same function, the Prime Minister Shri Morarji Desai released a Commemorative Postal Stamp and First Day Cover to mark the occasion.

As part of these celebrations, a month-long parliamentary exhibition, displaying photographs, charts and other materials, depicting the activities of Parliament through the years, was organised and thrown open to the public as well.

39. At our last Simla Conference my predecessor Shri Bhagat had referred to the establishment of the Bureau of Parliamentary Studies and Training, for fulfilling the longfelt need for institutionalised arrangements for a systematic study and training in parliamentary institutions, processes and procedures in our country. I am glad to inform you that the Bureau has made great strides and, within a short span of about one-and-half years of its existence, has organised over 30 training and appreciation Courses for officers at various levels in the parliamentary as well as executive branches, including courses for IAS and IFS probationers.

40. I would like to refer to two other matters: Orientation Programme for new Legislators and Review of Procedures and Practices.

41. In our new House there are a large number of new Members. In order to help the new Members of the Lok Sabha familiarise themselves with the intricacies of parliamentary practices and procedures, I am having organised an Orientation Programme for them. The Orientation Course would broadly cover fourteen topics of interest to Members of Parliament, including Parliamentary Questions, Parliamentary Privileges, Legislative Business, Financial Business, Legislative and Financial Committees etc. A number of Ministers and distinguished parliamentarians of standing have responded to my invitation to address the new Members of Parliament. We hope to hold the Orientation Courses in the coming months.

42. Another aspect which has been exercising my mind is rendering of effective reference, research etc. assistance to the Members, particularly new Members, so that they may frame their questions and motions appropriately and they can get factual information and data for making effective contribution to the deliberations of the House. Keeping this objective in view I addressed a letter personally to the Members of Lok Sabha inviting them to make use of the Library, Reference, Research, Documentation and Information Service. There has been some encouraging response from Members. I hope Members would make greater use of this Service, while on our part we would try to re-orient it and continuously improve its quality so as to better serve the needs of the Members.

43. Parliamentary institutions, like all other human institutions are in a state of evolution. It is but proper that our Rules of Procedure and Conduct of Business and Directions are continuously reviewed and updated as necessary. Soon after my assuming office

as Speaker, I called a meeting of Leaders of Parties and Groups to have a preliminary exchange of views on the subject. I have followed it up with a letter to Leaders of Parties and Groups and Members of Parliament inviting them to send their suggestions and proposals for modification of our rules. We have received a few suggestions; some more have been promised by the recognised Parliamentary Parties. All these would be gone into carefully by the Rules Committee of Lok Sabha. I need hardly state that modifications should be such as make for the best utilization of the parliamentary floor time in the interest of the nation.

44. Now I come to the pleasantest part of my duty, I would now, on behalf of all of us, like to express our sincere thanks to our hosts and the Government of Orissa for the excellent arrangements they have made and all the trouble they have taken to make our stay here thoroughly enjoyable. I am sure all of us would carry home with us happy memories of the place and our meeting here.

45. With these words, may I now once again extend to you a hearty welcome and express the hope that our deliberations here would be rewarding and fruitful.

Conferences and Symposia

Twenty-third Commonwealth Parliamentary Conference : The Twenty-third Commonwealth Parliamentary Conference was held in Ottowa (Canada) in September, 1977.

The Indian Delegation to the Conference was led by Shri K. S. Hegde, Speaker, Lok Sabha. The other members of the Delegation were Shri Ram Niwas Mirdha, M.P., and Deputy Chairman of Rajya Sabha, Shrimati Mrinal Gore, M.P., Shri M. V. Krishnappa; M.P., Shri Kota Punnaiah, M.P., and Shri S. S. Bhalerao, Secretary to the Delegation.

Shri Syed Abul Mansur Habibullah, Speaker, West Bengal Legislative Assembly, Shri V. S. Page, Chairman, Maharashtra Legislative Council; Shri Munu Adhi, Speaker, Tamil Nadu Legislative Assembly, Sardar Ravi Inder Singh, Speaker, Punjab Vidhan Sabha, Shrimati K. S. Nagarathnamma, Speaker, Karnataka Legislative Assembly, Shri Laxman Singh, Speaker, Rajasthan Legislative Assembly, Shri Babubhai Jashbhai Patel, Chief Minister of Gujarat, Shri R. Dasaratha Rama Reddy, Speaker, Andhra Pradesh Legislative Assembly, Brig. Ran Singh, Speaker, Haryana Vidhan Sabha, Shrimati Satyabati Goswami, M.L.A. Assam Branch, Dr. Virendra

Swarup, Chairman, U.P. Vidhan Parishad, Shri Sarvan Kumar, Speaker, Himachal Pradesh Vidhan Sabha, Shri Mukund Sakharam Newalkar, Speaker, Madhya Pradesh Vidhan Sabha, Shri Chakkeeri Ahamed Kutty, Speaker, Kerala Legislative Assembly, Shri Tripurari Prasad Singh, Speaker, Bihar Vidhan Sabha, Shri Piyare Lal Handoo, M.L.A., Jammu & Kashmir Branch, Dr. R. S. Lyngdoh, Speaker; Meghalaya Legislative Assembly, Shri Satya Priya Mohanty, Speaker, Orissa Legislative Assembly, Dr. L. Chandramani Singh, Speaker, Manipur Legislative Assembly also attended as delegates of their respective State Branches of the Commonwealth Parliamentary Association. Dr. R. Prasannan, Secretary, Kerala Legislative Assembly and Shri Abhiram Singh, Secretary, Bihar Vidhan Sabha attended the Conference as Secretaries from State Branches.

The following subjects were considered:—

1. The Commonwealth and world security—
   (a) Liberation in Southern Africa.
   (d) Human rights.
   (c) The Commonwealth's positive commitment to the world community.
   (d) Human rights.
2. Africa: Problems of Rhodesia, Namibia and South Africa.
3. Parliament and the preservation of human rights.
4. Commodity prices and the relations between Industrialized and Primary Producing Countries.
5. Assistance to Developing Countries of the Commonwealth.
6. Law of the Sea: Fish and Minerals.
7. Racial Conflicts within the Commonwealth.
8. Social Effects of Continuing Unemployment.
9. Preservation of the Environment and Wildlife.
10. Challenges to Parliament by External Groups.
11. Parliament's Role in the Control of Government Expenditure.
12. Relevance of Westminster-type Parliamentary System in Developing Countries.
13. The World Energy Crisis.
14. Conflicting interests of Members of Parliament between their Parliamentary/Constituency/Party|National responsibilities.

Sixty-Fourth Inter-Parliamentary Conference: The Sixty-fourth Inter-Parliamentary Conference was held in Sofia (Bulgaria) from September 21, 30, 1977. The Delegation to the Conference from India was composed of Shri Godey Murahari, Deputy Speaker, Lok Sabha and Leader of the Delegation, Shri Gev. M. Avari, M.P., Shri N. P. Chaudhari, M.P., Dr. Murli Manohar Joshi, M.P., Shri Rasheed Masood, M.P., Shri Sanat Kumar Raha, M.P., Shrimati Ahilya P. Rangnekar, M. P. and Shri Avtar Singh Rikhy, Secretary, Lok Sabha and Secretary to the Delegation.

The Conference discussed and adopted resolutions on the following subjects:

I. The role of Parliaments in furthering relaxation of international tensions and progress in the field of disarmament, including nuclear weapons and new weapons of mass destruction;

II. The behaviour of the Israeli Authorities in the occupied Arab territories;

III. The law of the sea.

IV. Thirtieth anniversary of the adoption of the Universal declaration of human rights.

V. Continuing study of a new international economic order and in particular:

(a) The contribution of the developed countries to the establishment of mechanisms for co-operation among the developing countries;

(b) transfers of technology for development.

VI. The provision of water and the control of the disposal of wastes as pre-requisites to the development of the human environment.

VII. The inalienable right to self-determination and independence of peoples still under colonial and neo-colonial domination, and evaluation of the implementation of the resolution of the 63rd Conference on 'The situation in Southern Africa'.

During the Conference period, meetings of the Inter-Parliamentary Council and Standing Sub-Committees of the Inter-Parliamentary Union were also held. The Association of Secretaries-Generals of Parliament also met in Sofia during this period. Shri Avtar Singh

Rikhy, Secretary, Lok Sabha attended the meetings of the Association.

Forty-Third Conference of Presiding Officers: The Forty-third Conference of Presiding Officers of Legislative Bodies in India was held in Bhubaneswar (Orissa) on January 19 and 20, 1978. Shri K. S. Hegde, Speaker of Lok Sabha and Chairman of the Conference presided. Almost all the Presiding Officers of Legislative Bodies in India as also the Deputy Speaker of Lok Sabha and Deputy Chairman of Rajya Sabha attended the Conference.

On the 19th January, 1978, Shri Satyapriya Mohanty, Speaker of Orissa Legislative Assembly delivered his welcome address. Thereafter, the Chairman of the Conference, Shri K. S. Hegde, delivered his address.

The Conference discussed the following points on Agenda:—

(1) (A) *Questions* : What should be the scope for seeking information through a question so as to make maximum use of available time?

(B) *Discussion on Matter Sub-judice* : What should be the scope for raising discussion through a question, motion, resolution, bill etc., on a matter pending before—

(i) Court of Law;

(ii) Commission or Court of Enquiry;

(iii) Statutory tribunal or statutory authority performing any judicial or quasi-judicial function.

(2) *Legislature Secretariat* : Need to invest the Speaker with powers of appointing the Secretary and other staff of State Legislature Secretariat to ensure its independence.

(3) *Speaker* : (a) What should be the conventions for the Speaker—

(i) taking part in election campaign for Parliament, State Legislatures, Local Bodies etc.;

(ii) receiving and seeing of leaders of political parties; and

(iii) attending any function held by or in the premises of a political party.

(b) Non-party character of the Speaker.

(4) Adjournment Motion: (i) Should a Member be permitted as a matter of course to refer in the House to his notice of Adjournment Motion and plead for its admissibility even before the Speaker had taken a decision thereon?

(ii) What opportunities should be provided to Members to raise matters in the House on which notices of Adjournment Motion have been given but which cannot be the subject matter of an Ajournment Motion?

(5) Censure Motion: It is necessary to have separate rules in the Rules of Procedure for dealing with the notices of Censure Motion against the Government?

(6) Discussion on Motion of Thanks and Budget: (a) What should be the fate of discussion on (i) Motion of thanks on Governnor's Address and (ii) Budget, in the event of resignation by the previous Government and formation of Government by a party formerly in Opposition?

(b) Whether article 202 of the Constitution permits presentation of the Annual Financial Statement of the State Government in respect of a financial year on more than one occasion within a year?

(7) Since in practice alomst same matters are discussed on (i) the Motion of Thanks on Governor's Address. (ii) General Discussion on Budget, and (iii) Discussion on Demands for Grants and Appropriation Bill, is it desirable to dispense with discussion on the Motion of Thanks on the Governor's Adddress in order to avoid repetition and save time of the House ?

(8) Amendments to Bills: When a Bill is returned with a message by the Governor under articles 200 and 201 of the Constitution for reconsideration of certain provisions of the Bill, are the members entitled to move amendments to the entire bill or only to the clauses referred to in the message?

(9) Privileges: Whether it is desirable to suspend the operation of the provisions of article 194 of the Constitution on the issue of proclamation under article 356, in respect of a State having a Legislative Council.

(10) Issue of Whip: Is it desirable for parties to issue whip to their members serving on a Parliamentary Committee

with regard to a matter under the consideration of that Committee?

(11) Subordinate Legislation: Need for co-ordination between the Committees on Subordinate Legislative of Parliament and State Legislatures for scrutiny of rules, regulations etc., framed by State Government under the delegated powers conferred by or under various Central Acts.

(12) Financial Committees: Is it desirable for the Chairman of a Financial Committee to take part in the proceedings of other Financial Committee as a matter of course or he should be invited only when there is special need?

Conference of Secretaries of Legislative Bodies in India: The twenty-fourth Conference of Secretaries of Legislative Bodies in India, was held on January 17 & 18., 1978 in Bhubaneswar (Orissa). Besides the Seretary-General, Rajya Sabha and Secretary, Lok Sabha, 30 Secretaries of State Legislatures attended the Conference. After the welcome speech by Shri N. Rath. Secretary, Orissa Legislative Assembly, Shri S. S. Bhalerao, Secretary-General, Rajya Sabha (Chairman of the Conference) addressed the Conference. The Conference thereafter, discussed the following points on the Agenda:—

(1) Legislature Secretariats—Staffing Pattern: Report of the Committee of Secretaries on Staffing Pattern in the Legislature Secretaries (Hanumanthappa Committee Report—Vols. I & II—Con. No. 285).

(2) Amendment of the Government of Union Territories Act, 1963 to provide for separate Secretariats for Legislatures of Union Territories as provided for State Legislatures under Article 187 of the Constitution.

(3) Should the exemption allowed under section 3(1) (e) of the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959 be extended to the State Legislatures:

(4) What are the powers, privileges and immunities, if any, of the officcers and staff of the State Legislature Secretariats in relation to the duties and functions discharged by them?

(5) Authentication of Governor's Orders: Whether authentication of the orders of the Governor in relation to various administrative and financial sanctions concerning the Legislature Secretariat should be done by the Secretary

of the Legislature or the Secretary of the administrative department of the Government which acts as the communicating channel between the Legislature and the State Government.

(6) Parliamentary Committees: Whether record of evidence given before a Committee of the Legislature which has not been published could be produced before an Inquiry Commission appointed under Commission of Inquiries Act.

(7) Whether the Legislature Committees should examine the Municipal Commissioner, a Managing Director in connection with matters pertaining to Corporations or Public Undertakings which are under consideration of the Committee.

(8) Whether Committees of Legislature can examine the Officers of Legislature Secretariat just as they examine the Officers of other Departments of Government?

(9) Committee on the Welfare of Scheduled Castes and Scheduled Tribes: Desirability of constitution of Committee on the Welfare of Scheduled Castes and Scheduled Tribes by the Legislatures of Union Territories.

Presiding Officers' Conference—Symposium: A Symposium on the "Role of Committees in calling the Executive to account—Existing position and possible directions of Development" was held in the Orissa Legislative Assembly Chamber, Bhubaneswar on Saturday, the 21st January, 1978. The Speaker of Lok Sabha, Shri K. S. Hegde, who is the Chairman of the Conference of Presiding Officers, presided over the Symposium. Shri Nilamani Routray, Chief Minister of Orissa inaugurated the Symposium. The Deputy Chairman of Rajya Sabha, the Presiding Officers of State legislatures in India, M.Ps. and M.L.As from Orissa participated in the Symposium.

Meeting of the Standing Committee of the Conference of Commonwealth Speakers and Presiding Officers: A Meeting of the Standing Committee of the Conference of Commonwealth Speakers and Presiding Officers was held in Nassau (Bahamas) in January, 1978. From India, Shri K. S. Hegde. Speker Lok Sabha and Shri Avtar Singh Rikhy, Secretary Lok Sabha attended the meeting.

Meeting of the Sub-committee of Commonwealth Parliamentary Association on 'The CPA and the Future'; A meeting of the Sub-committee of the Commonwealth Parliamentary Association on "The CPA and the Future" was held in London in January, 1978. From India, Shri K. S. Hegde, Speaker, Lok Sabha and Shri Avtar Singh Rikhy, Secretary, Lok Sabha attended the meeting.

Indian Parliamentary Delegations Abroad

Visit of Indian Parliamentary Delegation to Japan and South Korea: In response to an invitation from the Speaker of the House of Representatives and the President of the House of Councillors of Japan and the Speaker of the National Assembly of Republic of Korea, an Indian parliamentary Delegation led by Shri K. S. Hegde, Speaker, Lok Sabha visited Japan and South Korea from the 30th January to 10th February, 1978. Besides the Leader, the delegation consisted of Shri Devendra Nath Dwivedi M.P.; Shri K. Gopal M.P.; Shri Shyamlal Gupta, M.P.; Shri Harikesh Bahadur, M.P.; Shri Nirmal Chandra Jain, M.P.; Shri Ananda Pathak, M.P.; Shri Gauri Shankar Rai, M.P.; Shri C. N. Viswanathan, M.P.; and Shri S. S. Bhalerao, Secretary-General, Rajya Sabha, Secretary to the Delegation.

On their way to and from Japan and South Korea, the delegation visited Bankok on the 28th and 29th January, 1978 and Hong Kong from 11th to 13th February, 1978.

Foreign Parliamentary Delegations in India

Visit of Iranian Parliamentary Delegation: In response to an invitation from India, a nine-member Iranian Parliamentary Delegation led by H. E. Mr. Jafar Sharif Emami, President of the Senate visited India in December, 1977. On December 2, 1977, the delegation called on the Speaker, Lok Sabha at Parliament House and watched the proceedings of Lok Sabha and Rajya Sabha. A meeting between the delegation and Members of Parliament was also held on that day. The Speaker, Lok Sabha, hosted a dinner party in their honour on December 5, 1977 at Ashoka Hotel which was followed by a cultural programme. Besides Delhi, the delegates were taken to some places of cultural and industrial interests, viz., Agra, Bangalore, Aurangabad and Bombay.

Visit of U.S. Senator's Delegation: In response to an invitation from India, an eight-member U. S. Senators' Delegation headed by Senator Harrison Arlington Williams visited India in January, 1978. On January 5, 1978, the delegation called on the Deputy Chairman, Rajya Sabha and Deputy Speaker, Lok Sabha at Parliament House Annexe. The Deputy Chairman, Rajya Sabha and Deputy Speaker, Lok Sabha hosted a luncheon party in their honour on January 5, 1978 in which members of Parliament were also invited. Besides Delhi, the delegates visited Agra.

Visit of U.S. Congressional Delegation: In response to an invitation from India, a thirteen-member U. S. Congressional Delegation, with Congressman Lester L. Wolff as its Leader, visited India in January, 1978. The Speaker, Lok Sabha, hosted a dinner party in their honour on January 17, 1978 to which Members of Parliament were invited this was followed by a cultural programme. Besides Delhi, the delegates visited Agra.

Address by Mr. Willy Brandt: Mr. Willy Brandt, Chairman, German Socialist party and former Chancellor of Federal Republic of Germany addressed the Members of Parliament on Thursday, the 22nd December, 1977 in the Main Committee Room, Parliament House Annexe under the auspices of the Indian Parliamentary Group.

Address by H. E. Mr. Shridath Surendranath Ramphal: His Excellency Mr. Shridath Surendranath Ramphal, Commonwealth Secretary-General addressed the Members of Parliament on Friday, the 23rd December, 1977 in Main Committee Room, Parliament House Annexe under the auspices of the Indian Parliamentary Group.

Bureau of Parliamentary Studies and Training

During the period from July to December, 1977, the Bureau of Parliamentary Studies and Training conducted the following courses:

Specialisation Course for Reports and Editors of Debates of State Legislatures (August 24—31, 1977): Thirty-six officers, representing 24 States and 4 Union Territories, attended the Course. A total of 22 talks, one Problem-Resolution Session on Reporting and Editing Techniques and one Question-Answer Session on Parliamentary Practices and Procedures were arranged. Also, participants were attached to Reporters, Editorial and Translation Branches of the Secretariats of the Lok Sabha and the Rajya Sabha and Interpreters

and Printing Branches of the Lok Sabha Secretariat, to give them an idea of the practical working of the services rendered by them.

Appreciation Courses (Seventh, Eighth and Ninth) in Parliamentary Processes and Procedures for Officers of the rank of Deputy Secretaries and Under Secretaries of the Government of India: These were conducted during the periods September 2—12, 1977, September 23—29, 1977, and October 24—29, 1977, respectively and were attended by 28, 16 and 30 officers, respectively. There were 11 talks and one Problem-Resolution Session in each of these Courses.

Training Programme for Junior Library Attendants, Record Sorters, Daftaries, Messengers etc. of the Lok Sabha and Rajya Sabha Secretariats (September 1—22, 1977): This Course was conducted for persons who were to appear in the Departmental Examination to be held in the first week of September, 1977 for formation of a panel for appointment to the grade of Lower Division Clerks. Thirty-two persons attended the Training Programme.

Training Course in Hindi Shorthand/Typewriting: The Course which was first conducted from September 14 to October 31, 1977 was continued further. During the Third Session of Lok Sabha, the Course was conducted only on Saturdays (when there was no sitting of the House) and is to continue further. Daily classes were resumed from December 26, 1977.

Foundational Course for Directly Recruited/Newly Promoted Assistants in Lok Sabha and Rajya Sabha Secretariat (September 23—30, 1977): Twenty-five Assistants attended the Course. In all, eight talks were arranged for the Course participants in various aspects of the working of Parliament Secretariats, especially the Executive and Administrative Services.

First Appreciation Course for Senior Officers of Indian Customs and Central Excise (November 2—5, 1977): The Course was organised at the request of the Directorate of Training, Customs and Central Excise. It was attended by 29 officers and two Faculty Members of that Directorate. The Course, which was inaugurated by Shri Satish Agarwal, Minister of State in the Ministry of Finance, comprised 12 talks and one Question-Answer Session. The participants had also attachment with the PAC Branch to understand the actual procedure of working of the Public Accounts Committee.

Attchment of Parliamentary Fellows of the Institute of Constitutional and Parliamentary Studies, New Delhi, with Branches of the Lok Sabha Secretariat: Eight Parliamentary Fellows of the Institute of Constitutional and Parliamentary Studies, New Delhi, were attached to various Branches of the Lok Sabha Secretariat from December 26 to January 19, 1978. The attachment programme, of two hours' duration daily, except on Saturdays, was meant to provide to the Parliamentary Fellows an insight into the working of the Lok Sabha Secretariat.

5

PRIVILEGE ISSUES

LOK SABHA

Information regarding arrest of a member: The following information sent to the Speaker by the Station House Officer, Tughlak Road Police Station, New Delhi, was published in the Lok Sabha Bulletin—Part II, dated the 29th October, 1977:

> "I have the honour to inform you that I found it my duty, in exercise of my powers under Section 112/117, Bombay Police Act, to direct that Shri C. K. Chandrappan, Member of Lok Sabha, be arrested for creating rowdyism in public place, on the roundabout of Safdarjang Road and Race Cource Road and causing obstruction to the flow of traffic and inconvenience to the public".

On November 11, 1977, Shri M. Kalyanasundaram, gave notice of a question of privilege against the Station House Officer, Tughlak Road Police Station, New Delhi, for sending alleged wrong, slanderous and malicious information to the Speaker regarding the arrest of Shri C. K. Chandrappan, another member, under sections 112 and 117 of the Bombay Police Act, for creating 'rowdyism' in a public place on the 28th October, 1977,

He contended that the action of the concerned Police Officer in characterising the action of Shri Chandrappan as 'rowdyism' was calculated to bring down his prestige and dignity in the eyes of the public.

As directed by the Speaker, the matter was referred to the Ministry of Home Affairs for their comments. The factual comments furnished by the Ministry on the matter, together with the explanation of the concerned Police Officer expressing his regret for the

use of the word 'rowdyism', were communicated to Shri Kalyanasundaram.

On November 29, 1977, Shri K. Kalyanasundaram sought to raise the matter in the House and stated that he had no objection to accepting the regret of the Station House Officer, but his regret should be communicated to the members as the information about the arrest of Shri Chandrappan was circulated to all the members. The Speaker agreed and the following extracts from a communication dated the 16th November, 1977, from the Station House Officer, Tughlak Road Police Station; New Delhi, received through the Ministry of Home Affairs, were published in the Lok Sabha, Bulletin – Part II, dated the 29th November, 1977:—

> "On 28-10-1977, Shri C. K. Chandrappan, Hon'ble Member of Parliament was arrested from near the official residence of the Hon'ble Prime Minister of India, No. 1, Safdarjang Road, New Delhi. The Hon'ble MP was leading a big demonstration of the Delhi State Youth Federation in collaboration with Delhi State Students' Federation comprising of about 200 people....
>
> ** ** **
>
> The information with respect to the arrest of the Hon'ble MP was submitted by me to the Hon'ble Speaker immediately afterwards in writing.... The word 'rowdyism' was meant for the demonstration and the incident and not the Hon'ble M.P. My intention was not to injure the feelings of the Hon'ble M.P. in any manner.
>
> ** ** **
>
> It was never my intention to annoy the Hon'ble M.P. I would like to express my regrets if the feelings of the Hon'ble M.P. are hurt by inadvertent use of the word 'rowdyism' in my report to the Hon'ble Speaker".

Alleged defamatory remarks by a member in the House about the Speaker of previous Lok Sabha: On November 16, 1977, Shri C. M. Stephen gave notice of a question of privilege against Shri Madhu Limaye, another member, for having made alleged defamatory and contemptuous remarks in the House about the Speaker of Fifth Lok Sabha during the course of his speech in the House earlier that day on a question of privilege against Shrimati Indira Gandhi, the former Prime Minister, Shri Limaye had, *inter alia*, stated as under:—

> "Since she had a two-thirds majority, the Speaker was always under the fear of being removed if he acted to uphold the

dignity and privileges of the House. The result was that the sanctity of the House....."[1]

As directed by the Speaker (Shri K. S. Hegde), the matter was referred to Shri Madhu Limaye for his comments.

On November 29, 1977, Shri C. M. Stephen sought to raise the matter in the House and enquired about the ruling of the Speaker in the matter. The Speaker informed him that comments from Shri Madhu Limaye were awaited.

On December 7, 1977, while withholding his consent, the Speaker ruled as follows:—

"I have gone through the English translation of the statement made by Shri Madhu Limaye when his privilege motion against Mrs. Gandhi, the former Prime Minister, was taken up. During the course of his statement he observed as follows:—

'When Shrimati Indira Gandhi got two-thirds majority, she was continuously working towards the subversion of the procedures and the rights of this House. Not only that, most dangerous thing was that the Prime Minister's Secretariat became all powerful and even started dominating the Lok Sabha Secretariat. Which questions should be accepted for discussion, which should be rejected and which questions should carry incorrect replies—all this was decided in the Prime Minister's Secretariat. Since she had a two-thirds majority, the Speaker was always under the fear of being removed if he acted to uphold the dignity and privileges of the House. The result was that the sanctity of the House (interruptions) the people removed (interruptions)'.

The inference drawn by Shri Madhu Limaye may or may not be correct. But I am of the opinion that these observations do not amount to a breach of privilege either of the House or of the former Speaker. In this view, it is not necessary for me to decide the question whether a former Speaker has any privilege.

Hence, the consent asked for under Rule 222 is not granted."

Making of a statement by a Minister on A.I.R. and T.V. while the House was in session instead of making it in the House: On November 29, 1977, Shri Vayalar Ravi, a member, gave notice of a question of privilege, against the Minister of Home Affairs, Shri Charan Singh, for making a statement on A.I.R. and T.V. regarding the alarming increase of sabotage cases in vital sectors in which he disclosed not only the various steps taken by the Government but also definite

1. Original in Hindi.

information about the sabotage. He contended that the Minister had not cared to make any statement on this matter on the floor of the House which was in session.

Shri Ravi sought to raise the matter in the House on the next day and enquired whether it was proper on the part of the Minister of Home Affairs to go outside the House and make a statement while the matter was still before the House.

On December 7, 1977, while withholding his consent, the Speaker, Shri K. S. Hegde, ruled as follows:

> "I do not think that any question of privilege arises in the present case. I also do not think that the broadcast made by the Home Minister was inappropriate. Evidently, the Home Minister made a broadcast to the nation with a view to warn the public about the existence of a certain state of affairs. He also wanted to inform the public of the various steps taken by the Government. Early information to the public in respect of the matters mentioned in the broadcast was necessary and the same was in public interest.
>
> Under these circumstances, the consent asked for under rule 222 is refused."

The Shah Commission of Inquiry: On December 5, 1977, Shri Vasant Sathe, a member, gave notice of a question of privilege against Justice J. C. Shah, Chairman, Commission of Inquiry, appointed under the Commissions of Inquiry Act, 1952, to inquire into excesses committed during and immediately preceding the Proclamation of Emergency in June, 1975, alleging that by starting an inquiry questioning the Proclamation of Emergency which was approved by both Houses of Parliament, Justice Shah had challenged the sovereignty and supremacy of Parliament and had thus committed contempt of the House. Shri Sathe also sought to raise the matter in the House on the same day and enquired about the decision of the Speaker in the matter. The Speaker said that the matter was under his consideration.

On December 7, 1977, while disallowing the question of privilege, the Speaker, Shri K. S. Hegde, ruled as follows:—

> "Shri J. C. Shah has made it clear in his statement made on 5th December, 1977 that he is not inquiring into the validity of the declaration of Emergency. He has further stated that he has no competence to do so. He has also stated that he is only inquiring into the transactions which had immediately preceded and led to the declaration of Emergency.
>
> Whether a Commission appointed under the Commissions of Inquiry Act is competent to enter into the facts and circumstances or the transaction which immediately preceded

and led to the declaration of Emergency is a matter for courts to decide.

Therefore, *Prima facie* there is no contempt of Parliament or breach of privilege of Parliament. Hence, the notice given under rule 222 is not sustainable.

I decline to give my consent to the same".

Shouting of slogans and throwing of leaflets from the Visitors' Gallery on the floor of the House: On November 14, 1977, at about 12.35 hours, two persons calling themselves Suresh Muluji Sawant and Kanchan Ubale shouted slogans and threw some leaflets from the Visitors' Gallery on the Floor of the House. They were immediately taken into custody by the Watch and Ward staff and removed from the Visitors' Gallery. Later in the day, the Deputy Speaker, Shri Godey Murahari, informed the House of the report of the Watch and Ward Officer, that the said visitors had committed a serious offence by impersonation and also by shouting slogans from the Gallery. He said that they had committed grave offences and were guilty of the contempt of the House.

The Minister of State in the Ministry of Labour and Parliamentary Affairs, Shri Larang Sai, then moved a motion that the said persons had committed a grave offence and were guilty of the contempt of the House and that they should be sentenced to imprisonment till 6 P.M. on Tuesday, the 15th November, 1977, and sent to the Central Jail, Tihar, New Delhi.

In pursuance of this decision of the House, the Speaker, Shri K. S. Hegde, issued a Warrant of commitment in respect of both the persons concerned, addressed to the Superintendent, Central Jail,, Tihar, New Delhi, requiring him to take them into custody and to keep them safely in the Central Jail, Tihar, New Delhi, till 6 P.M. on Tuesday, November 15, 1977.

Again, on December 20, 1977, at about 12.40 hours, a person calling himself Bhagwan Bux Singh shouted slogans from the Visitors' Gallery. He was immediately removed from the Visitors' Gallery by the Watch and Ward Staff. Later in the day, the Chairman informed the House that in a written statement, he had expressed his regret for his behaviour and for shouting slogans from the Visitors' Gallery and requested that he might be excused for his action.

The House agreed with the Chairman's suggestion to accept his regret and he was later let off with a warning.

On December 23, 1977, a person calling himself Suresh Singh shouted slogans and threw leaflets from the Visitors' Gallery on the floor of the House at about 12.40 hours. He was immediately removed from the Visitors' Gallery by the Watch and Ward Staff. Later in the day, the Speaker, Shri K. S. Hegde, informed the House that he had made a written statement but not expressed regret for his action. As it was the last day of the session, if the House agreed, he might be kept in the custody if the Watch and Ward Officer till the rising of the House that day and thereafter released with a warning.

Shri Jyotirmoy Bosu, moved that the person concerned be released forthwith. After a brief discussion, the House decided that he be let off with a warning.

6

PROCEDURAL MATTERS

LOK SABHA

Calling Attention Notices: On December 6, 1977, the Speaker announced in the House the procedure to be followed in dealing with Calling Attention Notices. The Speaker announced this procedure when he noticed that there was some dissatisfaction among Members with a recent practice of including the names of Members who had tabled adjournment motions, short notice questions and notices under Rule 377 in the ballot held to determine the relative priority of Calling Attention Notices on the same subject. Under the revised procedure announced by the Speaker:—

(i) All Calling Attention notices received upto 10.00 hours on any day would be placed immediately before the Speaker for his consideration, who would select one of them for a statement by the concerned Minister at the sitting of the House on the following day.

(ii) The Members who had tabled Calling Attention Notices on the subject and the Minister concerned would be informed about the admission of the notice. The rest of the notices shall be treated as not selected and would lapse under the provisions of rule 197(5). Where a Member was not informed about the selection of his Calling Attention notice, he should take it that his notice had not been selected and no intimation about this would be given to the Member.

(iii) Any Member whose notice had not been selected would, however, have the right to revive his notice for a sub-

sequent day by giving a fresh notice and such notice would be reconsidered by the Speaker along with other notices received for that day.

(iv) The Calling Attention selected by the Speaker would normally be listed in the Agenda of the next sitting. However, the Speaker might in his discretion allow a Calling Attention notice at the end of the day on which notices were given if he felt that the matter was so urgent that the statement should be made on the same day.

(v) The ballot for determining the names of 5 Members for inclusion in the List of Business would be held on the day on which the notice was selected by the Speaker and all Calling Attention notices on the subject received upto 10.00 hours on that day would be included in the ballot.

(vi) Names of only those Members would be balloted who had tabled calling Attention Notices on the subject.

(vii) Similarly, the ballot under Rule 54(4) for clubbing names on an admitted Short Notice Question would be restricted only to Members tabling Short Notice Questions on that subject and names of Members tabling Calling Attention Notices on the subject would not be included therein.

It was also made clear that the above procedure should not be taken to imply that the Speaker must admit a Calling Attention Notice for each sitting, since admission of a notice would entirely be subject to the rules and subject to the Speaker's judgment that the matter sought to be raised called for an urgent statement by the Minister.

Adjournment motion on Government's failure to give protection to voters and rigging of bye-elections to State Assemblies in U.P. and Bihar: On December 23, 1977, the Chair gave his consent to the moving of an adjournment motion on the Government's alleged failure to give protection to the voters, especially Harijans and

other weaker sections, to exercise the right of franchise freely and large scale rigging of elections by the ruling party in the bye-elections held in Uttar Pradesh and Bihar where the Chief Ministers of the respective States contested the elections. On submissions made by members with regard to the admissibility of the motion, the Deputy Speaker observed that so far as the Election Commission was concerned, the Central Government was the only Government that was responsible for it and the Central Government was also concerned with protection to voters, Harijans and weaker sections. Leave of the House to move the motion was granted. The motion was discussed and negatived.

Adjournment Motion based on press report: In an observation from the Chair on a notice of an adjournment motion, it has been held that an adjournment motion based on a press report, later contradicted by the Minister/Government, is not admissible. On December 7, when a member Shri C. M. Stephen, made a submission about his notice of adjournment motion regarding alleged interference by the Home Minister in the working of the Shah Commission, the Speaker said that he had disollowed the notice as the Minister in his comments had stated that the Press Report on which the motion was based was wrong. When the Minister tried to quote the news-report on which his notice was based, the Speaker proceeded to observe that as between the Press Report and the Minister's statement, he would accept the Minister's statement.

Members not to speak without Speaker's consent: On November 28 when another member, Shri Jyotirmoy Bosu, while raising a point regarding his adjournment motion persisted in speaking in spite of the Speaker asking him not to speak further, the Speaker directed that the proceedings be not recorded. Upon the member enquiring under what rule the proceedings were not being recorded, the Speaker pointed out that under the rules nobody could speak in the House without the consent of the Chair. On the following day, when the member, referring to the Chair's ruling on the previous day, wanted to know under what specific rule recording of the proceedings could be stopped, the Speaker observed that when a member persisted in speaking in spite of the Speaker asking him not to speak, the Speaker under his inherent powers could direct that the relevant proceedings be not recorded.

When another member drew attention to the fact that the proceedings which were not recorded on the previous day had receiv-

ed coverage in the newspapers, the Speaker observed that the unrecorded proceedings could not be published, and if any paper had done it, it was irregular to do so.

Constitutionality of Legislation: On December 16, at the time of the introduction of the Constitution (Forty-fourth Amendment) Bill, 1977 a member raised a point of order that when the Constitution (Forty-second Amendment) Bill making certain vital changes in the Constitution affecting in some ways even the basic features like the Fundamental Rights was passed, a view shared by even leading jurists was that Parliament was not competent to make such changes. That being so, the member wanted to know how Parliament could now make any changes in those very parts which were considered basic to the Constitution. Ruling out the point of order, the Speaker observed that the question of legislative competence with regard to a measure was to be decided by the courts and not by the Speaker.

Variation in the Order of Business: When the Third Reading motion of the Constitution (Forty-fourth Amendment) Bill had been moved on December 19, the House decided to extend the time allotted for this Bill and to take up the Third Reading of the Bill on the next day immediately after the Question Hour. In view of this decision, the Speaker directed certain changes in the next day's order of business under Rule 25 of the Rules of Procedure in Lok Sabha, which permits the Speaker to make variations where he is satisfied that sufficient grounds exist for it. In the Revised List of Business for December 20, the Third Reading motion of the Constitution (Forty-fourth Amendment) Bill was entered immediately after Questions, and the Calling Attention was shifted towards the end of the day, to be taken up immediately before the Half-an-Hour discussion scheduled for that evening. The Speaker made an announcement in the House regarding the changes in the order of business and informed the House that a few matters under Rule 377 would also be permitted to be raised at 5.00 P.M. before the Calling Attention notice was taken up.

The Estimates Committee

Appointment of Sub-Committee on Defence: The Estimates Committee (1977-78) took up for examination, inter alia, the estimates relating to the Ministry of Defence—Modernisation of De-

fence. For examining the estimates relating to the Ministry of Defence a Sub-Committee consisting of 10 Members was constituted under Direction 101 of the Directions by the Speaker.

Press Release re: Working of Indian Diplomatic Missions abroad: In connection with the examination of the estimates of the Ministry of External Affairs by the Estimates Committee (1977-78) insofar as they related to the working of Indian diplomatic missions abroad, a press release was issued on October 25, 1977 soliciting comments and constructive suggestions from all those persons, bodies and institutions who had knowledge about the functioning of the Indian diplomatic missions abroad. It was seen that the release was not covered by any of the newspapers. It was then decided with the approval of the Speaker that the press release might be published as a "paid advertisement" and it was accordingly published through DAVP in a few selected newspapers of the country during December, 1977.

Consideration of the draft reports: The Estimates Committee of the Fifth Lok Sabha (1976-77) had taken up 10 subjects for examination during the year. The Committee had taken evidence of non-official and official witnesses in respect of 7 subjects but could not finalise their reports on these subjects due to dissolution of Lok Sabha in January, 1977. The Estimates Committee of the Sixth Lok Sabha decided to continue the examination of the subjects on which evidence had been taken by the previous Committee. In order to expedite the completion of unfinished work and finalisation of Reports on these carried-forward subjects, the Committee appointed seven Sub-Committees—one for each subject——each having the powers of the whole Committee under Rule 263 of the Rules of Procedure and Conduct of Business in Lok Sabha.

Public Accounts Committee

Procedure for dealing with the replies received from Government after the presentation of Action Taken Reports: The replies received from the Government in respect of the recommendations contained in the original Reports of the Public Accounts Committee are processed through an Action Taken Sub-Committee of the PAC and an Action Taken Report is then presented to Parliament.

The Committee has been including all recommendations on which only interim replies are received till the time of finalisation of the

Action Taken Report in Chapter V of the Report with the stipulation that final replies to these recommendations will be furnished to the Committee in due course. The Committee also sometimes makes some further observations in cases where replies to recommendations are not satisfactory or where the Committee thinks it proper to reiterate the earlier recommendations. Such recommendations/ observations of the Committee are included in Chapter I of the Action Taken Report.

Hitherto, the final replies received from the Government in respect of the recommendations/observations contained in Chapters I and V of the Action Taken Reports of the Public Accounts Committee were merely kept by the Committee in its files. The Committee has now decided that all such final replies received from the Government would be laid on the Tables of both the Houses of Parliament twice during a year, i.e. during Budget and Winter Sessions, so that the Committee might share with the Parliament the information received from the Government.

Following this decision by the Public Accounts Committee, the Action Taken Notes received in respect of some important Action Taken Reports presented by the Committee during the Fifth Lok Sabha and in respect of which notices of motions under Rule 184 had been received, were laid on the Table of both Houses of Parliament to enable the members to have the benefit of the information furnished by the Government.

Consideration of the draft Reports: With the dissolution of the Lok Sabha in January, 1977, the work of the Public Accounts Committee and other Financial Committee came to an abrupt end. The Public Accounts Committee of the Fifth Lok Sabha had adopted some reports but these had not been presented to the House by the time of its dissolution. Also some reports approved by the Chairman had not been before the Committee.

When the new Committee was constituted in the Sixth Lok Sabha in August, 1977, it was decided that all the carried forward Reports which had earlier been adopted by the previous Committee as also those which had in the meantime been drafted by the Secretariat and/or approved by the Chairman of the new Committee, should first be considered by the concerned Working Groups of the Committee and thereafter placed before the Committee for final consideration and adoption. This was accordingly done.

BIHAR VIDHAN SABHA*

Budget of the previous government: The Speaker, Shri Tripurari Prasad Singh, ruled in the Vidhan Sabha on July 11, 1977 that there was nothing wrong in a new Vidhan Sabha taking up discussion on a budget presented in the previous House. The ruling of the Speaker was in response to the objections raised in the Vidhan Sabha on July 5 by Shri Chaturanan Mishra and Shri Radhanandan Jha. These members had objected to the new House taking up discussions on the budget which was presented duing March in the previous House by the Mishra Ministry. The budget in question, the members contended, was the property of the dissolved House and hence the discussion on it could not start in the new House. Citing May's *Parliamentary Practice* the Speaker in his ruling said that the budget was not like a report or a petition that went out with the House in which they were presented. It was a government document which continued to exist even after the dissolution of the House. Hence there was no harm in allowing discussion on the budget presented to the dissolved House.

Promulgation of ordinances: Some opposition members objected to the promulgation of four ordinances by the Government when the Assembly was in session. They raised the issue when the Speaker called the Government to place copies of the ordinances on the Table of the House.

Shri Rajo Singh, who raised the issue, was of the opinion that it was improper to promulgate the Ordinances when the Assembly was in session. He said that the Vidhan Parishad was deliberately adjourned *sine die* to facilitate promulgation of the ordinances. Shri Krishna Kant Singh was of the view that the Ordinance on Private Medical Colleges' take over was printed on July 12 and the Vidhan Parishad was summoned on July 22. He wanted the Speaker to look into the original file and see when the Governor's signature was obtained on the printed ordinance. The Leader of the Opposition, Shri Ram Lakhan Singh Yadav and the CPI member Shri Tej Narayan Jha, supported this contention of the two Congress Members.

The Speaker, while giving his ruling said that all the ordinances were signed when both the Houses were not in session. He, however, said that one ordinance relating to the take over of Private Medical Colleges was printed on July 12 but the signature of the

*Contributed by the Bihar Vidhan Sabha Secretariat.

Governor was obtained on July 21, before the Vidhan Parishad was summoned. Shri Krishna Kant Singh thereupon drew the attention of the Speaker towards the fact that the Vidhan Parishad was in session on July 12, when the Ordinance in question was printed. The Speaker then observed that "We are concerned with only the date of signature of the Governor, not the printing of the ordinance".

Zero Hour: A convention has been established which permits issues to be raised, with previous notice to the Speaker, during this period for five minutes. Previously the practice was that as soon as the Question Hour was over several members used to get up and raise several issues simultaneously with the result that their voice became inaudible and one could hear nothing but noise. The practice now is that any member desirous of raising any issue during the Zero Hour should give notice in writing to the Speaker one hour before the sitting of the House and the concerned members are allowed to raise their issues one by one, with the result that the Zero Hour has now become more orderly.

GUJARAT LEGISLATIVE ASSEMBLY*

Postponement of Questions: The Revenue Minister was required to go to Delhi for Government work and he, therefore, requested that all his questions should be adjourned till his next turn in the following week. After consulting the whips of both the parties the Speaker agreed to the suggestion and he accordingly announced in the House that due to unavoidable circumstances, the Revenue Minister had to go out of the Headquarters and that he had acceded to his request to remain absent and since it was felt it would be difficult for any other Minister to be ready with the replies of 18 to 20 questions which the Revenue Minister had to reply, it was decided, with the consent of the whips of both the parties, to hold over those questions for the next allotted day.

A member recalled his own experience when once as a Minister he had sought similar postponement on a day he was obliged to be absent from the House in connection with his wife's operation and the then Speaker refused permission therefor, suggesting that some other Minister could answer the questions on his behalf.

During the brief discussion that followed, the Minister for Parliamentary Affairs, Shri Bhailalbhai Contractor intervened to say that the Government did not wish to violate any of the parliamentary practices, but in the special circumstances of the present

*Contributed by the Gujarat Legislative Assembly Secretariat.

case an exception might be made. He assured the House that such a thing would not recur.

After a brief discussion, the Speaker ruled that under rule 87B of the Gujarat Legislative Assembly Rules he had power to postpone questions. He further held that the adjourned questions would be taken up on July 7, 1977. These questions were then shown in the List of Business for July 7 and replied to on the said day. With a view not to deprive members of their right, additional time, in addition to the usual Question Hour, was allotted for the postponed questions.

Absence of Minister: On July 12, 1977 when the Demands of the Ministry of Agriculture were reached, the Agriculture, Minister, Shri Keshubhai Patel was not present in the House. Upon the members of the Opposition taking serious exception to this, the Speaker asked the Treasury Benches to send a message to the Minister to attend the House immediately.

At this juncture, it was pointed out on behalf of the Opposition that if a member who had tabled cut motions was not present in the House when the same were called out, the cut motions were not allowed to be moved subsequently. Likewise, it was contended, if a Minister was not present when his Demands were called out, he should not be allowed to come late and present the Demands, which should be treated as not presented to the House. Making this submission, the members of the Opposition staged a walk out.

At this stage, the Minister presented himself before the House and tendered his apology, at the Speaker's instance. The Speaker explaining the seriousness of the lapse on the part of the Minister proceeded to observe that if a member who remained absent in the House at the time his cut motion was called out, lost his right to move the same afterwards, there was no reason, why the same rule should not be applicable to the Minister. However, if the Demands of the departments were not presented to the House, public interest would suffer and the departments would not be able to function in the absence of these grants being voted. He, therefore, warned the Government that such incident should not recur in the future. Shri Maneklal Gandhi, the senior most Minister assured the House that such an incident would not occur again in the future.

Meanwhile, the Chief Minister saw the Leader of the Opposition in his Chamber and requested the Opposition to attend the House and to participate in the discussion on the Demands. Responding to the request, all the members of the Opposition returned to

the House. The Speaker then ruled that even though on account of the walk-out cut motions were not moved, members who had tabled cut motions would be allowed to participate in the debate. Thereafter, the Demands were discussed and passed by the House.

Calling Attention without prior notice: On August 3, 1977 Shri Madhavsinh Solanki, Leader of the Opposition sought the permission of the Speaker in the House to invite the attention of the Home Minister to an incident of pelting of stones at, and subsequent murder of, Shri Karsan Duda, a Harijan of Zanzmer village of Bhavnagar District in the presence of police escorts who were on duty for his protection. Normally the Speaker does not allow a calling attention to be raised directly in the House, without prior notice and consent of the Speaker. However looking to the urgency and the graveness of the matter, the Speaker permitted the Leader of the Opposition to raise the matter in the House. The Home Minister made an oral statement and assured the House that a judicial inquiry would be held and the offenders punished.

Reflections on Members of other House: On July 29, 1977, a member called the attention of the Revenue Minister under rule 116 to the situation arising out of the heavy rainfall in Mehsana and Banaskantha districts. When questions were being asked of the Minister to elicit further information, Shri Liladhar Waghela, another member, tried to catch the eye of the Speaker and having failed to do so, stood up on the bench and uttered something. The Deputy Speaker who was in the Chair, expressed his disapproval of the undignified behaviour. Meanwhile, a point of order was raised that Shri Waghela should submit his apology for his misconduct.

At this point, Shri Sanat Mehta commented from his seat that a certain Union Minister was also behaving in a similar way. Thereupon, the Deputy Speaker proceeded to observe that the point of order raised by Shri Arvind Maniar was genuine and keeping in view its importance he warned the concerned member that in case of repetition of such unbecoming behaviour, he would have to use the powers of the Chair. He further said that the reflections made by Shri Sanat Mehta upon the conduct of the Union Minister were also not proper, and instructed the member to withdraw his utterances. A little deliberation took place wherein the Minister for Parliamentary Affairs also participated to point out that neither Shri Waghela's conduct was proper, nor were Shri Sanat Mehta's remarks, which were not befitting the dignity of the House and he should therefore withdraw. Shri Sanat Mehta requested for an

opportunity to make a personal explanation, and this he was allowed to do.

In his personal explanation, Shri Sanat Mehta said that he had not cast any reflections on the conduct of the Union Minister; all that he meant was that Shri Liladhar Waghela must have got his inspiration from it. A short discussion followed in which the Leader of the Opposition and the Minister for Parliamentary Affairs participated. The Deputy Speaker informed the House that he was reserving his ruling.

Subsequently, on August 3, 1977, the Deputy Speaker giving his ruling said that even comments made by Members while sitting became part of the proceedings, and as, in this case, they amounted to a reflection upon the conduct of the Union Minister and as no such reflections could be made in respect of members of other Houses, he ordered that the same be expunged from the proceedings.

JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY*

Laying of Papers on the Table: On October 3, 1977 while the Report of the Public Service Commission for the year 1971-72 was being laid on the Table of the House, Shri Rishi Kumar Kaushal, raised a point of order that under section 137 of the State Constitution the said Report could not be laid on the Table so late. He further contended that it was binding on the Public Service Commission to present the Report to the Governor annually which the Commission seemed to have failed to do and had, therefore, contravened the said provision of the State Constitution.

Section 137 of the State Constitution is analogous to Article 323 (2) of the Constitution of India, which reads as under:—

> "It shall be the duty of a State Commission to present to the Governor of the State a report as to the work done by the Commission, and it shall be the duty of a Joint Commission to present annually to the Governor of each of the States the needs of which are served by the Joint Commission a report as to the work done by the Commission in relation to that State, and in either case the Governor shall, on receipt of such report, cause a copy thereof together with a memorandum explaining, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State."

Giving his ruling on the point of order the Speaker observed:

> "Here I do not find it necessary to dilate on the background which had weighed with the framers of the Constitution to

*Contributed by the J. & K. Legislative Assembly Secretariat.

make it obligatory upon the State Public Service Commission to present the report of the work done to the Governors of their respective States. In this behalf Shri B. Shiva Rao has taken pains to describe in detail the whole background in his notable work *"The Framing of the Constitution—A Study"*, pages 724 to 740. Similarly, it is not for me to pronounce upon or interpret the provisions of the Constitution. Nonetheless, the point to be decided by me is whether the Public Service Commission has violated Section 137 of the Constitution and whether the Commission is at liberty to cause delay in presenting its annual Report to the Governor for laying it before the Legislature.

I am conscious that Section 137 of the Constitution of the State is directory and not mandatory as held by the State High Court. In this behalf I rely upon the judgment of Jammu & Kashmir High Court in AIR, 1968 (J&K) in the case of *Dr. A. N. Raina V. State of Jammu and Kashmir* and others. Para 33 of this judgment reads as under:—

> "It is true that even this section is directory and not mandatory and no provision is made containing the consequences for disregarding the recommendations of the Public Service Commission. But after the reasons are placed before the Legislature, it is for the Legislature to discuss the whole matter and take such decision as it thinks necessary. The fact that a particular provision is directory does not mean that it can be followed or not followed just as one pleases. It means merely that where in the case of a mandatory provision strict compliance with every letter of the law is necessary, and absence of such compliance will invalidate the act, in the case of a directory provision substantial compliance is sufficient and even where there is no compliance at all the act is not invalidated by such non-compliance alone. It however does not mean that where a provision is directory the person or authorities to whom it applies can make a habit of disregarding it on the ground that they are not invariably required to follow it and can follow or not follow it as they choose."

To my mind also the purpose of laying annually the Report on the Table of the House as enjoined by the Constitution in Section 137 is to explain to the Legislature the reasons as to why in a particular case or cases the advice of the commission could not be accepted. In this context the word 'annually' used in this Section is very significant. The word 'annual' according to Webster's *International Dictionary of English Language* (2nd edition page 108) means 'a publication appearing yearly especially one treating of matters of interest in the year just passed'. Likewise, according to *Oxford Dictionary* the word 'annually' means 'in annual order or succession, yearly; every year, year by year, as Parliament should be held annually'.

After careful consideration I am led to conclude that the Public Service Commission is not free to follow the provisions of Section 137 as it pleases. It is very much its duty to fulfil the statutory obligation and present the Report to the Governor annually for the year just passed which would *ipso facto* enable the Governor to cause a copy thereof to be laid on the Table of the Legislature. According to Sir Thomas Erskine May 'It is a first step in parliamentary control that the documents be laid before Parliament, though if its contents be of minor significance only, the enabling Act may not insist upon this step or may require nothing more'. Similarly, in his article captioned 'Administrative Accountability to Parliament' Mr. S. L. Shakdher, former Secretary-General of Lok Sabha states that 'as a first requisite to effective supervision of the Executive by Parliament it is necessary that complete and proper information on the activities of government is given to the Members, Parliament has a right to receive unlimited information, the only self-imposed restriction being that if divulging of certain information is prejudicial to the safety of the state it may not be given, where again the discretion vests in the government and unless it is patently untenable the decision of the Minister is upheld'. Laying of the Report is an obligation cast on the administration by the Constitution. Any delay or incomplete or defective submission of these Reports defeats the very purpose of Parliamentary control and has severely been criticized. Herbert Marrison in his book *"Government and Parliament"* describes a case of delay in laying a paper before Parliament when he had to confess his guilt and sincerely apologise for the offence. He has described such offences as most serious and a sin against the rights of parliamentary democracy. I would, therefore, emphasise that the Government should see to it that Public Service Commission Reports are presented to the House annually after the year has just passed and should endeavour to present all the pending Reports as early as possible.

Now coming to the second point raised by Shri Kaushal that the Public Service Commission has contravened the provisions of Section 137 of the State Constitution I do not feel persuaded to agree with him. Though it is no doubt a case of delayed presentation of the Report yet I find that by laying the Report on the Table of the House on 3rd October, 1977 substantial compliance of Section 137 of the State Constitution has been made and as such I do not find the Commission having contravened the provision under Section 137 of the Constitution. Here too I put reliance on the may's *Parliamentary Practice* which while discussing the procedure for laying papers before Parliament provides as under:—

"Occasionally an enabling statute, after requiring that instruments made thereunder shall be laid before Parlia-

ment has expressly stipulated that, if not laid, they shall have no effect. It seems that, in the absence of such stipulation, the requirement is merely directory; breach of the statutory duty to lay will not of itself invalidate the instrument, though it may amount to a misdemeanour at common law".

The point of order raised by Mr. Koushal stands disposed of accordingly."

Uttar Pradesh Vidhan Sabha*

Moving of Demands for Grants by Ministers: Two days were allotted for the Demands for Grants relating to the Police and the General Administration. The Demand was to be taken up on October 6, 1977. Normally, the Chief Minister, who was incharge of these Demands, should have moved them, but on October 6, 1977, the Minister for Parliamentary Affairs moved these Demands due to the illness of the Chief Minister. This was objected to by a member of the Opposition on a point of order. The Speaker disallowing his objection observed that the Council of Ministers had a collective responsibility and circumstances might arise when the Minister incharge might not be present and some other Minister had to do his work in the House. The Speaker further observed that it was expected that the Chief Minister would be well by the next day and be able to reply to the debate. Accordingly, on October 7, 1977, the Chief Minister replied to the debate on the Demands, although, as stated earlier, the Demands were moved on his behalf by the Minister for Parliamentary Affairs.

Suspension of rule: With a view to consolidate and amend the law relating to land and land revenue in the State of Uttar Pradesh and to provide for matters connected therewith, the U.P. Revenue Code Bill, 1977 was introduced in the House on October 8, 1977 and was to be taken up for consideration on November 1, 1977. The Revenue Minister had given notice of a motion to refer the Bill to a Joint Select Committee. However, as the Bill provided, *inter alia*, for imposition and collection of land revenue, such a motion could not be moved because Rule 122 of the Rules of Procedure and Conduct of Business of the House specifically provided that no motion for reference to a Joint Select Committee could be made in respect of a Bill making provision for any of the matters specified in sub-Clauses (a) to (f) of Clause (1) of article 199. Accordingly, before moving the motion for a Joint Select Committee the Revenue Minis-

*Contributed by the U.P. Vidhan Sabha Secretariat.

ter also given notice of a motion for suspension of this Rule in relation to the said Bill. When the Revenue Minister was called upon to move the motion for suspension of Rule 122, a point of order was raised by Shri Kalpnath Singh, which was supported by the Leader of the Opposition, to the effect that such a motion would be contrary to the provisions of the Constitution. After hearing the Minister for Parliamentary Affairs, the Speaker referring to article 199 of the Constitution, Rule 122 of the Rules of Procedure and also the precedents in the Lok Sabha, observed that it was not a money Bill but a financial Bill and the House was quite within its right to suspend the said rule 122 in order to enable it to refer the Bill to a Joint Select Committee.

Security arrangements: In accordance with the conventions established since 1936, security arrangements are made by the Government under the orders and control of the Speaker during the period when the House is in Session. Under this arrangement certain number of security and intelligence persons are posted during the Session and they are under the control of the Speaker. They are issued entry passes by the Assembly Secretariat. On October 10, 1977 a member, Shri Shatrudh Prakash, pointed out that there were persons in the Visitor's Gallery without passes and that they were taking notes of the proceedings. The Speaker ordered an enquiry to be conducted by the Marshal, who after making an enquiry reported to the Speaker the same day. According to the report of the Marshal, there were some persons of the Intelligence Department, who were in the galleries without valid passes, but none was taking notes. Informing the House accordingly, the Speaker observed that this was very irregular and the intelligence persons must obtain passes before entering the galleries. He warned them that they would be dealt with sternly if in future such violation of rules was made. Accordingly, the warning given by the Speaker was communicated to their concerned officers for necessary action.

Shri Shatrudh Prakash and some other members raised this issue again on October 11, 1977 through a notice of privilege motion, which was disallowed by the Speaker on the ground that he had already taken action in the matter on the previous day.

Tamil Nadu Legislative Assembly*

Adjournment Motion: On August 19, 1977, with reference to an adjournment motion given notice of by a member, relating to an

*Contributed by the Tamil Nadu Legislative Assembly Secretariat.

industrial dispute, the Speaker called upon the member to explain how it was a matter of urgent public importance. When the member rose to explain, another member pointed out that as it was reported that an agreement had been reached regarding the dispute which formed the subject matter of the adjournment motion and enquired whether it was necessary to consider the subject, the Chair observed that he had asked the concerned Minister to make a statement on the subject under rule 82 of the Tamil Nadu Legislative Assembly Rules. Thereupon, another member rose on a point of order and asked whether it was in order to allow the Minister to make a statement under rule 82, since that would deprive the member who had given notice of the adjournment motion of the right to seek any clarification from the Minister as no debate was permissible on a statement made under rule 82.

The Chair observed that there was no question of the member's rights being deprived; as it was reported that the dispute had been amicably settled, he thought it would suffice if the Minister made a statement under rule 82 and apprised the House of the latest position in the matter.

Delhi Metropolitan Council*

Point of Order: On August 30, 1977, on a member raising a point of order, the Chairman ruled that "while raising a point of order, the member must quote the rule which had been infringed".

Zero Hour: On September 5, 1977, the Chairman announced that there shall be a Zero Hour of 15 minutes duration immediately after the laying of papers on the Table.

*Contributed by the Delhi Metropolitan Council Secretariat.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENT*

(August 1, 1977 to October 31, 1977)

INDIA

Developments at the Centre

Expansion of Cabinet: On August 11, the Prime Minister, Shri Morarji Desai expanded his 20-member Cabinet by adding 24 Ministers of State to the Council of Ministers. The allocation of portfolios was as follows:

Shri Chand Ram: *Shipping and Transport* (independent charge); Shri Satish Agarwal: *Finance*; Shrimati Renuka Devi Barkataki: *Education, Social Welfare and Culture*; Shri Arif Beg: *Commerce, Civil Supplies and Cooperation*; Shri K. K. Goyal: *Commerce, Civil Supplies and Cooperation*; Shri Dhanna Singh Gulshan: *Education, Social Welfare and Culture*; Shri Ram Kinkar: *Works and Housing and Supplies and Rehabilitation*; Shri S. Kundu: *External Affairs*; Km. Abha Maiti: *Industry*; Shri D. L. Mandal: *Home*; Shri Janeshwar Mishra: *Petroleum and Chemicals and Fertilizers*; Shri Karia Munda; *Steel and Mines* Shri S. D. Patil: *Home*; Shri Fazlur Rehman: *Energy*; Shri Larang Sai: *Labour and Parliamentary Affairs*; Shri Narhari Prasad Sukhdeo Sai: *Communications*; Shri Sheo Narayan: *Railways*; Shri Sher Singh: *Defence*; Shri Bhanu Pratap Singh: *Agriculture and Irrigation*; Shri Jagbir Singh: *Information and Broadcasting*; Dr. Ram Kirpal Singh: *Labour and Parliamentary Affairs*; Shri Jagdambi Prasad Yadav: *Health and Family Welfare*; Shri Narsingh Yadav: *Law, Justice and Company Affairs*; Shri Zulfiquarullah: *Finance*.

*This feature, prepared by the Research and Information Division of LARRDIS, Lok Sabha Secretariat, is based primarily on reports appearing in the newspapers and as such, no responsibility is accepted for the accuracy or veracity of information or views featured presented here.

AROUND THE STATES

ANDHRA PRADESH

Expansion of Ministry: Six new Ministers—3 Cabinet rank and 3 Ministers of State—were sworn in on September 4 by the Governor Smt. Sharda Mukherjee, raising the strength of the Council of Ministers to 35. the largest since the formation of the State. The portfolios of the new Ministers were as follows:

Cabinet Ministers:

Shri R. Narappa Reddy: *Panchayat Raj and Rural Water Supply*; Shri M. Manik Rao: *Commercial Taxes, Information and Public Relations and Cinematograph Act;* Shri Kommuri Appadu Dora: *Tribal Welfare and Marketing.*

Ministers of State:

Shri K. Rami Reddy: *Civil Supplies and Rationing;* Shri Palla Venkatarao: *Irrigation Development Corporation, Ground Water Resources, Employment, including Industrial Training Institutes*; Shri Lakshminarayan Yadav: *Backward Classes Welfare.*

The following the revised portfolios of other Ministers:—

Shri L. Lakshmana Das: *Religious and Charitable Endowments*; Shri P. Ranga Reddy: *Finance and Accommodation;* Shri J. Chokka Rao: *Agriculture, Food Production and Command Area Development;* Shri V. Krishnamurthy Naidu: *Medium Irrigation, Flood Control and Drainage*; Shri T. Anjaiah: *Labour;* Shri Challa Subbarayudu: *Municipal Administration, including administration of Municipal Corporation of Hyderabad, Urban Development including Urban Development Authority, Town Planning including Town Planning Trust, Urban Water Supply and Drainage including Hyderabad City Water works, Environmental Pollution and Environmental Sanitation*; Shri Bhattam Sriramamurthy: *Technical Education, Archaeology, State Archives and Youth Services;* Shri P. Mehendranath: *Harijan Welfare*; Shri K. B. Narsappa. *Sugar Factories including Nizam Sugar Factory, Cooperative Sugar Factories and Khandsari Units and Cane Development.*

BIHAR

Expansion of Ministry: On August 9, the State Ministry was expanded with the inclusion of 15 more Ministers—seven of Cabinet rank and rest Ministers of State. Nine more Ministers—six of the Cabinet rank and three Ministers of State were subsequently added

on August 16, raising the strength of the Ministry to 36. On August 20, the Chief Minister, Shri Karpoori Thakur reallocated the portfolios as follows:

> Shri Karpoori Thakur: *Chief Minister, Cabinet Secretariat and Coordination (excluding Information, Public Relations and Tourism), Home (excluding Jails) and Personnel;* Shri Kailash Pati Singh: *Finance;* Shri Jageshwar Mandal: *Cooperatives;* Shri Kapildeo Singh: *Agriculture and Parliamentary Affairs;* Shri Thakur Prasad: *Industries;* Shri Anoop Lal Yadav: *Public Works;* Shri Sumitra Devi: *Urban Development;* Shri Sachidanand Singh: *Irrigation*: Shri Zahir Hussain: *Health and Family Welfare;* Shri Kameshwar Paswan: *Welfare;* Shri Lalit Oraon: *Forests;* Shri Jagbandhu Adhikari: *Rural Development;* Shri Shankar Prasad Tekriwal: *Information and Public Relations and Transport;* Shri Upendra Nath Verma: *Revenue and Land Reforms;* Prof. Mahabir Prasad: *Law, Food, Supply and Commerce;* Shri Ghulam Sarwar: *Secondary Education and Wakf;* Shri R. Puran Chand: *Mines and Geology;* Shri Mohan Ram: *Tourism and Religious Trusts;* Shri Digamber Thakur: *Primary Education;* Shri Mahadev Marandi: *Sugarcane;* Shri Thakur Prasad Singh: *Higher Education, Science and Technology;* Shri Ram Chandra Singh Yadav: *Animal Husbandry and Fisheries;* Shri Baidya Nath Mehta: *Home (Jails) and Excise;* Shri Shamsher Jung Bahadur Singh: *Labour and Employment;* Shri Siaram Thakur: *Cooperatives;* Shri Manjay Lal: *Personnel and Transport;* Shri Guneshwar Prasad Singh: *Higher Education, Science and Technology;* Shri Sukhdev Shukla: *Rural Development;* Shri Janardan Yadav: *Industries;* Smt. Sushila Sahay: *Home;* Shri Shiv Nandan Paswan: *Revenue;* Smt. Lalita Rajyalakshmi: *Finance;* Shri Raghuvansh Prasad Singh: *Power and Religious Trusts;* Shri Jorawar Ram: *Jails and Excise.*

GUJARAT

Expansion of Ministry: Nine new Ministers, all of Cabinet rank, were sworn in by the Governor Shri K. K. Vishwanathan on August 9, raising the strength of the Babubhai Patel Ministry to 18. The allocation of portfolios was as follows:

> Shri Babubhai Patel, Chief Minister: *General Administration, Energy including Power and Gas;* Shri Maneklal Gandhi: *Panchayat;* Keshavbhai Patel: *Agriculture and Irrigation;* Shri Bhailalbhai Contractor: *Industries, Parliamentary Affairs and Sports;* Shri Navin Chandra Barot: *Labour, Law, Printing and Stationery;* Shri Popatlal Vyas: *Home, Information, Tourism and Cultural Activities;* Shri Lallubhai Seth: *Civil Supplies, Community Development Projects, Sarvodaya and Cottage and Village Industries;* Shri

Navalbhai Shah: *Education, including Medical Education, Animal Husbandary and Dairy Development;* Shri Makrand *Desai: Mines, Minerals, Housing and Rehabilitation;* Shri Dinesh Shah: *Finance and Planning*; Dr. Keshavbbhai Patel: *Revenue, Roads and Buildings*; Smt. Hemaben Acharya; *Municipalities, Town Planning, Town Development and Judiciary;* Shri Harisinh Chavda: *Prohibition, Co-operation and Government Employees' Welfare*; Shri Shankerbhai Vaghela: *Water Supply, Drainage, Transport and Capital Projects;* Shri Bhimabhai Rathod: *Harijan and Nomadic Tribes' Welfare, Youth Welfare and Jails,* Shri Chandubhai Deshmukh: *Adivasi Welfare, Forests and Rural Housing.*

Haryana

Change of portfolios: On September 17 the Chief Minister Shri Devi Lal gave up three portfolios held by him. Tourism and Elections were allotted to Education Minister, Col. Ram Singh, who already had the portfolios of Sports, Languages, Archaeology, Civil Aviation and Fisheries. Smt. Sushma Swaraj, Labour Minister was given the charge of Wakf in addition to her other portfolios of Housing, Jails, Architecture, Printing and Stationery and Cultural Affairs.

New Governor: Shri Harcharan Singh Brar, former Governor of Orissa, was sworn in as Governor of Haryana on September 24.

Jammu & Kashmir

Election of Presiding Officers: Shri Malik Mohiud Din was chosen as the Speaker and Shri Janak Raj Gupta as the Deputy Speaker of the State Assembly on September 8 and October 15 respectively.

Karnataka

Resignation by Ministers: Three Ministers *viz.*, Shri M. Mallikarjunaswamy (Minister for Education), Shri K. Sriramulu (Minister of State for Fisheries) and Shri V. L. Patil (Minister for Horticulture) resigned from the Council of Ministers on August 20, 22 and 29 respectively.

New Governor: Shri Govind Narain, I.C.S. (Retd.) was sworn sworn in as Governor on August 2, by the Chief Justice Shri G. K. Govinda Bhat.

KERALA

New Governor: Shrimati Jothi Venkatachellum was sworn in as Governor of Kerala on October 14.

Minister's Status for Opposition Leader: On August 10, the State Assembly adopted the Payment of Salaries and Allowances (Amendment) Bill providing for extension to the Leader of the Opposition all the facilities enjoyed by a Minister. The Bill also provided for some more facilities to the Speaker, Deputy Speaker, Ministers and MLAs.

Election of Chief Minister to State Assembly: In the by-election to the State Assembly, the Chief Minister, Shri A. K. Antony, was declared elected on October 23 from the Kazhakootam constituency with a margin of over 8,700 votes. He was sworn in as a Member of the Assembly on October 26.

MADHYA PRADESH

Ordinance for 3 month's detention without trial: On September 26, the Governor promulgated the Madhya Pradesh Prevention of Public Disorder (Temporary Powers) Ordinance, 1977 empowering the State Government to detain a person without trial for three months for prevention of public disorder.

New Governor: Shri N. N. Wanchoo was sworn in as the new Governor of the State on October 14.

MAHARASHTRA

Resignation by Minister: Shri N. M. Tidke, Minister for Energy, Planning and Legislative Affairs resigned from the Council of Ministers on August 15.

MANIPUR

Election of Deputy Speaker: Shri Joy Singh, Janata Party nominee was elected Deputy Speaker of the State Assembly on October 26.

MEGHALAYA

Reshuffle of portfolios: The Meghalaya Chief Minister, Capt. Williamson A. Sangma, reshuffled the portfolios of two Ministers of State on October 6. While the Department of Education went to

Shri Selsingh Marak, Shri D. D. Lapang was given charge of Industry, in addition to Agriculture.

PUNJAB

New Governor: The President accepted the resignation of the Governor, Shri M. M. Chaudhury with effect from September 1, and appointed on September 24 Shri Jaisukhlal Hathi as the new Governor of the State.

RAJASTHAN

Election of Deputy Speaker: Shri Ramchandra Jat of the Janata Party was on September 8 unanimously elected Deputy Speaker of the Legislative Assembly.

SIKKIM

Election of new Presiding Officers: Shri B. B. Gurung and Shri Kalzon Gyasto of the ruling Janata Party were elected Speaker and Deputy Speaker of the State Assembly on October 11 and October 12 respectively.

TRIPURA

Resignation by Ministers: All the four CPI(M) nominees in the 12-Member Tripura Ministry tendered their resignations on October 29, following a party decision.

UTTAR PRADESH

Resignation by Ministers: The Governor, Shri M. Chenna Reddy, on the advice of the Chief Minister, relieved Shri Jageshwar, Deputy Minister for Family Welfare of his responsibilities on August 5. On October 2, the Governor accepted the resignation of Shri Arif Mohammad Khan, Deputy Minister for Excise, who had handed in his resignation from the Ministry on September 28.

New Governor: Shri Ganpatrao Tapase was sworn in as Governor on October 2 by the Chief Justice of Allahabad High Court, Justice T. M. Chandrashekhar.

WEST BENGAL

Appointment of New Ministers: Shri Kanti Chandra Biswas of the CPI(M) and Shri Ram Chatterjee of the Forward Block (Marxist) were sworn in as Ministers of State on September 7, raising the strength of the Left Front Ministry to 29.

New Governor: Shri Tribhuvan Narayan Singh was appointed as the new Governor of West Bengal on October 26 in succession to Shri A. L Dias.

UNION TERRITORIES

Mizoram

New Lt. Governor: Shri Narendra Pal Mathur took over as Lt. Governor on September 27.

DEVELOPMENTS ABROAD

Bangladesh

Dissolution of three Parties: The military Government of Major-General Zia-ur Rehman announced on October 14 the dissolution of three political parties—the Communist Party of Bangladesh headed by Moni Singh; the Democratic League, headed by Khondakar Moshtaque Ahmed; and the Jatiya Samajtantrik Dal, founded by Major Jalil and A.S.M. Abdur Rab—charging them with 'prejudicial activities'.

Burma

Dismissal of Ministers: Two members of the Burmese Cabinet —Mr. U Than Sein (Finance and Planning) and Mr. U Tun Lin (Transport and Communications)—were dismissed on September 18, 1977, without any reason being announced.

Cyprus

Death of President: Archbishop Makarios, President of Cyprus since 1960, died of heart attack on August 3. Mr. Spyroskyprianov, President of the Cyprus House of Representatives, leader of the right-centre Democratic Front and a former Foreign Minister, was elected unopposed on August 31 as President to serve for the remainder of Archbishop Makarios's five-year term of office, which was due to expire in February 1978.

Fiji

General Election: A General Election was held in Fiji from September 17 to 24—following the resignation in May of the minority Alliance Party Government formed after the previous election in March-April 1977. The Alliance Party gained its largest overall majority since Independence in 1970, the final party position an-

nounced on September 25, being: Alliance Party-36; National Federation Party (F)—12; National Federation Party (D)—3 and Independent-1. Ratu Sir Kamisese Mara formed his new Cabinet on September 29.

Iran

New Prime Minister: Mr. Jamshed Amouzegar, Iran's chief oil negotiator was nominated by the Shah as Prime Minister on August 7 in place of Amir Abbas Hoveida, who resigned.

Morocco

Formation of Government of National Unity: King Hassan II dismissed the Cabinet on October 5 and charged the outgoing Prime Minister, Mr. Ahmad Osman, with the formation of a 'Government of national unity' which would, in addition to independent monarchists (holding 141 out of the 264 seats in the Chamber of Representatives elected in June)—also contain representatives of the two strongest parties—the nationalist Istiq lal (49 seats) and the *Mouvement populaire* (44 seats). Mr. Osman formed his new Government on October 10.

Mozambique

Announcement of Election: President Machel announced in August that elections would be held in December 1977 to National People's Assembly following elections to local and provincial Assemblies. The President had previously stated that the elections—the first since independence—would take place in February, 1978.

Nepal

New Prime Minister: Dr. Tulsi Giri, Prime Minister since December 1975, resigned on September 9, 1977, together with his entire Cabinet, after he had been accused of corrupt practices and of failure to balance Nepal's relations with India and China. On September 12, King Birendra appointed as the new Prime Minister Mr. Kirti Nidhi Bista, who had earlier been Prime Minister between April 1969 and April 1970 and again from April 1971 until July 1973. On the recommendation of Mr. Bista, the King appointed on the same day, a 25-member Council of Ministers.

Nigeria

Establishment of Constituent Assembly: In accordance with the time-table for Nigeria's return to civilian rule laid down by the

then head of the Federal Military Government, General M. R. Mohammed, in October 1975, the local government Councillors who had been elected in November-December, 1976, themselves elected on August 31, 1977, 203 members of a 233-seat Constituent Assembly to debate the draft Constitution published in October 1976, the remaining 30 members, including the non-voting Chairman and Deputy Chairman, being Government nominees of *ex-officio* members. The Assembly held its inaugural meeting on October 6, 1977.

Norway

General Elections: After considerable initial uncertainty arising from recounts in certain electoral districts, the final results of the Norwegian general elections held on September 11-12 gave the Labour Party and the Left Socialists on aggregate majority of one seat over the four non-Socialist parties which secured representation in the 155-member *Stotring* (Parliament) enabling the minority Labour Government under Hr Odvar Nordli to continue in office. The number of seats won by various parties was: Labour Party-76; Conservatives 41; Christian People's Party-22; Centre Party-12; Socialist Left Party-2; Liberal Party-2.

Pakistan

Postponement of elections: General Mohammed Zia Ul-Haq, the head of the military Government, postponed on October 1 the Parliamentary election that was set for October 18 and extended Martial Law rule indefinitely.

Papua New Guinea

New Government: Papua New Guinea's first General Election since the attainment of independence in September 1975 took place between June 18 and July 9, 1977, following which Mr. Michael Somare became Prime Minister on August 9. He formed a new coalition Government, in which the predominant elements were, as before, the *Pangu Pate* led by himself and the People's Progress Party (PPP) led by Mr. Julius Chan, who became Deputy Prime Minister and Minister for Primary Industry.

Rhodesia

General Elections: The General Elections held on August 31—as announced by Mr. Ian Smith, the Prime Minister on July 18—resulted in the ruling Rhodesian Front (RF) taking all the 50 white seats in the 66-member House of Assembly by gaining 44,228 votes,

or 85 per cent of the 52,342 votes cast, compared with 77 per cent of the nearly 73,000 votes cast in the 1974 elections, when the RF had similarly won all the 50 white seats. Mr. Smith announced his new Cabinet on September 18.

South Africa

Announcement of General Elections: Prime Minister, Mr. B. J. Vorster announced in Pretoria on September 20 that he had decided that the House of Assembly and the four Provincial Councils, should be dissolved and Fresh elections held on November 30, 1977. (The last elections had been held in April 1974 and the maximum term for the Assembly and Provincial Councils is five years).

Soviet Union

New Vice President: On October 7, Mr. Vasily Kuznetsov was elected to the newly created post of First Vice President.

Approval of new Constitution: An extraordinary session of the Supreme Soviet on October 7 approved the new draft Soviet Constitution with certain amendments recommended by the Editing Commission. The Constitution took effect from October 7.

Sri Lanka

Presidential system: A Bill to amend the present British Parliamentary type of Constitution to a French-type Presidential system, which was passed by the National State Assembly (Parliament) on October 3, was signed into Law on October 20. The Prime Minister, Dr. J. R. Jayawardene announced that the change would come into force in the new year.*

Sudan

New Vice-President: Following the resignation for health reasons of Major General Mohammed-el-Baqir Ahmed as First Vice-President of the Republic, Major Abou Kassem Mohammed Ibrahim was on August 5 appointed to this post while retaining his duties as Secretary-General of the Sudanese Socialist Union (the country's sole political organization).

Syria

General Elections: In the General Elections held on August 1-2 for the People's Council (Parliament), the ruling National Progres-

*The change came into force on February 4, 1978.

sive Front, which was led by the *Baath* Party and also included the Socialist Unionist Movement, the (Nasserite) Arab Socialist Union, the Arab Socialist Party and the Communists, won, 159 of the 195 seats. In the previous 186-seat People's Council elected in March 1973, the five parties of the Front—which were all represented in the Syrian Cabinet—had held 124 seats.

United Nations

Approval of Membership of Djibouti and Vietnam: In its 32nd regular session, which opened in New York on September 20, the UN General Assembly, on the recommendation of the Security Council, admitted both Djibouti and Vietnam as Members of the United Nations, thus bringing its total membership to 149 countries.

Uruguay

Announcement of Elections: On August 9, a communique from the Uruguayan Government said that President Mendez had "decided to adopt the proposition put forward by the junta of Commanders-in-Chief of the armed forces" and hold general elections in 1981 in which the traditional National (Blanco) and Colorado parties would participate.

The three stages of the Government's plan for a return to democracy were reported later, on August 24, to be (i) formulation of a new Constitution by 1980; (ii) elections in November 1981 for a President, with a single candidate representing the traditional political parties and having the approval of the armed forces; and (iii) a further election in 1986 in which the traditional parties would participate in the normal way and would offer their own candidates for the Presidency. The Constitution would be subject to approval by plebiscite.

Yemen

Assassination of President: President Ibrahim al-Hamdi and his brother Mr. Abdullah al-Hamdi, were assassinated in Sanna on October 11 and a new three-man Presidential Council was appointed to take over the country.

Zaire

New Foreign Minister: President Mobuto Seso Seko named Mr. Umba Di Lutete as the new Foreign Minister to replace Mr. Nguza Karl-I-Bond, who was dismissed and arrested eight days earlier on charges of treason.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

[The Constitution (Forty-Fourth Amendment) Bill, 1977 was introduced in the Lok Sabha on November 16, 1977 and was discussed by the House on December 19 and 20, 1977 and was passed by it with the requisite majority in accordance with the provisons of article 368 of the Constitution on the latter date. The Bill was introduced in the Rajya Sabha on December 23 and was passed on the same day with the requisite majority. We reproduce below the text of the Bill as passed by the two Houses of Parliament. When assented to by the President, it will be called the Constitution (Forty-third Amendment) Act, 1977.

—Editor]

THE CONSTITUTION (FORTY-FOURTH AMENDMENT) BILL, 1977

(AS PASSED BY THE HOUSES OF PARLIAMENT)

A

BILL

further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Constitution (Forty-third Amendment) Act, 1977.

2. *Omission of article 31D.*— Article 31D of the Constitution shall be omitted.

3. *Omission of article 32A.*— (1) Article 32A of the Constitution shall be omitted.

(2) Any proceedings pending before the Supreme Court under article 32 of the Constitution immediately before the commencement of this Act may be dealt with by the Supreme Court as if the said article 32A had been omitted with effect on and from the 1st day of February, 1977.

4. *Omission of article* 131A.— (1) Article 131A of the Constitution shall be omitted.

(2) Notwithstanding anything contained in sub-section (1), where immediatly before the commencement of this Act any reference made by a High Court under the said article 131A is pending before the Supreme Court, the Supreme Court may, having regard to—

(a) the stage at which the reference is so pending; and

(b) the ends of justice,

either deal with the case as if that article had not been omitted or return the case to the High Court for disposal as if that article had been omitted with effect on and from the 1st day of February, 1977.

5. *Omission of article* 144A.— (1) Article 144A of the Constitution shall be omitted.

(2) Any case pending before the Supreme Court immediately before the commencement of this Act may be dealt with by the Supreme Court as if the said article 144A had been omitted with effect on and from the 1st day of February, 1977.

6. *Amendment of article* 145.—In article 145 of the Constitution,—

(a) in clause (1), in sub-clause (cc), for the words, figures and letters "articles 131A and 139A", the word, figures and letter "article 139A" shall be substituted;

(b) in clause (2), the words, figures and letter "article 144A and of" shall be omitted;

(c) in clause (3), the words, figures and letter "subject to the provisions of article 144A," shall be omitted.

7. *Amendment of article* 226.—In article 226 of the Constitution, in clause (1), the words, figures and letters "but subject to the provisions of article 131A and article 226A" shall be omitted.

8. *Omission of article 226A.*— (*1*) Article 226A of the Constitution shall be omitted.

(*2*) Any proceedings pending bofre a High Court under article 226 of the Constitution immediately before the commenement of this Act may be dealt with by the High Count as if the said article 226A had been omitted with effect on and from the 1st day of Febrauray, 1977.

9. *Amendment of article 228.*—In Article 228 of the Constitution, in the opening portion, the words, figures and letter, "subject to the provisions of article 131A," shall be omitted.

10. *Omission of article 228A.*—(*1*) Article 228A of the Constitution shall be omitted.

(*2*) Any case pending bofore a High Court immediately before the commencement of this Act may be dealt with by the High Court as if the said article 228A had been omitted with effect on and from the 1st day of February, 1977.

11. *Amendment of article 366.*— In article 366 of the Constitution, clause (4A) and clause (26A) shall be omitted.

9

SESSIONAL REVIEW

Sixth Lok Sabha—Third Session

The Third Session of Sixth Lok Sabha was held from November 14 to December 23, 1977. A resume of some of the important discussions and legislative business transacted during the session is given below:

A. Discussions

Cyclone in Tamil Nadu, Pondicherry and Andhra Pradesh: The Minister of State in the Ministry of Agriculture and Irrigation, Shri Bhanu Pratap Singh in a statement made in response to a Calling Attention Notice by Shri P. Rajagopal Naidu informed the House on November 16, 1977 that the cyclone that raged in Tamil Nadu on November 12 had resulted in disruption of power supply and communication system in the Nagapattinam and several other parts of Thanjavur, Tiruchirapalli, Madurai, Pattukottai and South Arcot districts. In Pondicherry and Karaikal areas dwelling houses and fishing villages had been damaged and about 70,000 acres of paddy crops were under water.

The Minister assured the House that the Central Government was keeping a watch on the situation and would offer all possible assistance at the request of the State Government.

On November 21, 1977 the Minister gave details about the cyclonic storm which struck the Masulipatam-Kakinada coast of Andhra Pradesh on November 19, 1977 causing widespread havoc in coastal districts of Nellore, Prakasam, Guntur, Krishna, East Godavari and West Godavari. According to the tentative estimate 885 lives were

lost in various coatal districts and about one lakh people feared to have been rendered homeless in the town of Guntur alone. Apart from the loss of human lives, the cyclone had destroyed paddy, sugarcane, tobacco and other plantation crops and property. The Minister gave an assurance that every effort was being made to alleviate the sufferings of the people of Andhra Pradesh. As a measure of emergency relief, the Government had decided to sanction immediately an advance of Rs. 5 crores to Tamil Nadu and Rs. 5 crores to Andhra Pradesh.

The matter was raised again in the House on November 24, 1977 on a motion moved by Shri C. K. Chandrappan. Initiating the discussion, Shri Chandrappan appealed to the Government to look into the matter as a national problem and be liberal in rendering assistance to the States and people who had been affected.

The Minister of State in the Ministry of Agriculture and Irrigation, Shri Bhanu Pratap Singh intervening in the discussion reiterated that no effort would be spared to rush every kind of assistance and relief to the affected people. Ruling out any failure on the part of the meteorological department and the armed forces, the Minister felt that some lives could have been saved had there been effective organisational and administrative machinery.

The matter was discussed again in the House on December 6, 1977 on a motion moved by Shri Chitta Basu. The Minister of Agriculture and Irrigation, Shri Surjit Singh Barnala, who intervened in the discussion announced that the Central Government had decided to assist Andhra Pradesh upto the ceiling of Rs. 75.13 crores and Tamil Nadu upto a ceiling of Rs. 33.91 crores. An interim advance plan assistance of Rs. 2 crores had already been provided to Kerala and an amount of Rs. 10 lakhs had been sanctioned to Pondicherry as an interim measure. He assured the House that Centre would also give all assistance to the Lakshadweep. The assistance, most of it excepting gratuitous relief, was by way of advance Plan assistance. The Government would study the matter next year to make provision for the future.

Protection of Harijans and other Voters: Moving an adjournment motion on December 23, 1977 regarding alleged failure of the Government to give protection to Harijan and other voters during the recent by-elections in U.P. and Bihar and large-scale rigging of elections, Shri Vayalar Ravi demanded the appointment of a Parliamentary Committee to go into the whole matter for eliciting facts.

The Minister of Law and Company Affairs, Shri Shanti Bhushan intervening in the brief discussion that ensued, ruled out any large-scale rigging in the two by-elections held in U.P. and Bihar. If anybody suspected anything the best possible forum to raise the issue was the courts, he observed.

As for the heavy polling, he said, it always had happened in the past when an important person—Chief Minister or Prime Minister—contested from any constituency.

*Jammu and Kashmir Public Safety Ordinance**: On December 12, 1977, Shri Jyotirmoy Bosu moved a motion regarding the Public Safety Ordinance issued by the Jammu and Kashmir Government to assume special powers to detain persons, place curbs on newspapers, etc.

Intervening in the discussion, the Minister of Home Affairs, Shri Charan Singh, at the outset, made it clear that articles 19 and 35 of the Constitution did not place any bar on the Government of Jammu and Kashmir to impose restrictions on fundamental rights with the approval of the State Assembly. The Central Government as well as the Supreme Court could not, therefore, interfere.

Sharing the views expressed by various Members regarding the provisions of the Ordinance, the Minister detailed three of its very objectionable aspects the authority to forefeit documents and books without allowing the author to move any court; to ban circulation of newspapers within the State itself, as also the newspapers which came from outside the State, denying the editors and publishers the right to approach a court; and to detain a person for two years without referring his case to any board of review and without furnishing him with grounds of detention. The Minister added that he had already brought all the objections to the notice of the Chief Minister of Jammu and Kashmir and he had been assured that the objections pointed out by him and the opinion expressed in the Press and by various people would be borne in mind at the time of placing the Ordinance before the State Assembly.

Agreement on sharing of Ganga Waters at Farakka: In a statement made on November 14, 1977, the Prime Minister, Shri Morarji Desai said that a major problem which had bedevilled relations between the two countries and vitiated the political atmosphere in the sub-continent had been resolved. The negotiations involved not only the sharing of water between the two countries, but also the political imperative of improving relations with our closest

*The Ordinance was laid on the Table of the House on December 2, 1977.

neighbour, which was an acid test of the effectiveness and credibility of India's entire foreign policy and for that matter of the principles which India had always advocated should guide relations among nations.

Giving details of the Agreement, the Prime Minister said that it provided for a withdrwal of 20,500 to 26,750 cusecs of water during March—May as well as for a progressive increase in India's share when the flows were above the minimum level of 55,000 cusecs. The agreement was valid for an initial period of 5 years and provided for a review after three years entailing consideration of its working, impact and progress in implementation, including progress towards long-term solution.

The matter came up for discussion in the House on December 15, 1977 on a motion moved by Shri Samar Guha. The Minister of External Affairs, Shri Atal Bihari Vajpayee, who participated in the discussion stated that the present agreement was only an immediate solution which was economical and feasible.. Both the countries, he added, had agreed to find out a long-term and abiding solution of the problem.

Dealing with the suggestion of Ganga-Bramaputra link, the Minister said that it would be feasible only with the cooperation of Bangladesh.

Prime Minister's visit to USSR: The Prime Minister Shri Morarji Desai visited USSR during October, 1977. In a statement in the House on November 14, 1977 the Prime Minister affirmed that Indo-Soviet relations, which had stood the test of time, should in no way be feared by any nation as they were anchored in the principle of peaceful co-existence which had universal applicability. He added that his visit had vindicated that notwithstanding differrences in the social and political systems of the two countries and approaches on some issues, India's relationship with USSR had in no way suffered. On the contrary, on the principle of promoting beneficial bilateral relations, there were possibilities of healthy development in cooperation between the two countries in the future.

The visit, Shri Desai added, had in fact given a dimention of stability and strength to Indo-Soviet relationship. Both the countries acknowledged that the relationship did not come in the way of development of relationship with other countries, which were motivated by similar objectives of promoting peace and the strengthening of understanding between nations.

Prime Minister's visit to Nepal: Making a statement the Prime Minister, Shri Morarji Desai said on December 12, 1977 that his recent visit to Nepal, meeting with the King and extensive discussions with Prime Minister, Kirti Nidhi Bista had removed the apprehensions and misgivings about India's attitude. The Joint Communique issued at the end of the visit acknowledged the urgent need to further strengthen the economic cooperation between two countries on the basis of equality and mutual benefit. In this spirit, it was agreed to accord priority to projects on the rivers linking the two countries for mutual benefit and the Devighat Power Project to which the Government of Nepal attached great importance. Specific measures were agreed to set in motion the process of expeditiously executing four project on the river Kanali, Mahakali, Rapti and Trisuli.

Shri Desai added that both the sides reviewed the discussions held in the past on the Indo-Nepalese Treaty of Trade and Transit which had expired in August, 1976 and it was agreed that while trade was a bilateral matter, agreements for Nepal's transit trade with third countries were separate subjects. Both the Prime Ministers agreed to make efforts to curb the unauthorised flow of goods and decided to come to a separate agreement which would embody effective measures to control such flow across the open border.

Peking Radio broadcast on Sino-Indian border conflict: Making a statement in response to a Calling Attention Notice by Shri Brij Bhushan Tewari, the Minister of External Affairs, Shri Atal Bihari Vajpayee said on December 12, 1977 that the broadcast on peking Radio on November 27 was only a reiteration of the familiar Chinese version of border conflict with India. He pointed out that the Government's stand on the India-China border was well known. The common border was clearly depicted on the maps. The Officials' Report of 1961 was further evidence of support of India's stand on the border question.

Consistent with national integrity and national dignity and on the basis of peaceful co-existence and the goal of mutually beneficial bilateral relations between the two countries, the Minister expressed the hope that the process of improvement in India's relations with China would not be jeopardised by such factually incorrect and needlessly provocative statements. He added that India was anxious to solve the border question with China through negotiations and not by resorting to war.

White Paper on Misuse of Mass Media during Internal Emergency: Moving a motion for consideration of the White Paper, the Minister

for Information and Broadcasting, Shri L. K. Advani on August 8, 1977 informed the House that it was felt that there was no need of going through an extensive and prolonged judicial inquiry in case of mass media. It was possible to bring out a White Paper on the basis of what was available in the records of the Ministry of Information and Broadcasting. The White Paper should not merely be regarded as an indictment of what had happened in the past. It was intended to arouse the democratic conscience of the people, to make them resolve and take a pledge that such things shall never be repeated again.

Replying to the resumed discussion on November 15, 1977, Shri Advani maintained that the Government was committed to the principle of freedom of the Press. Its decision about Samachar and reversion to the old position was guided by that principle.

Listing the various other steps taken by the Government, Shri Advani said that instructions have been given to DAVP not to take political affiliations into account in the matter of placing government advertisements. In its news and other broadcasts, All India Radio was fair to all sections of the people holding different views and opinions. According to the figures available with the Government, the opposition parties—and Congress Party in particular—had a fairly large share in the AIR news Bulletins. The Censor Board of Films has also been asked to exercise its own judgement instead of getting guidance from the Centre in the matter of certifying films.

Employment of Scheduled Castes and Scheduled Tribes in Services against reserved quota: Replying to the discussion raised by Shri Yuvraj on August 6, 1977, the Minister of Home Affairs, Shri Charan Singh informed the House on November 21, 1977 that owing to non-availability of competent and qualified persons among the Scheduled Castes and Scheduled Tribes, the quota of posts reserved for them in services could not be filled up. Their number as well as percentage had, however, been gradually increasing with the passage of time. The Government, he added, was formulating a scheme for adult literacy for them in a bid to educate them.

As regards the problem of unemployed youth, the Home Minister felt that its solution lay in the creation of more avenues in the non-agricultural sector.

Dealing with the complaints that Harijans were being evicted from land, the Home Minister said that the Centre had already sent instructions to State Governments to ensure that there were no evictions from land already given to Harijans.

Industrial Policy: Spelling out the details of the new Industrial policy in the House on December 23, 1977, the Minister of Industry, Shri George Fernandes said that its main thrust would be on effective promotion of cottage and small industries widely dispersed in rural areas and small towns. The list of industries which would be exclusively reserved for the small-scale sector had been significantly expanded and would now include more than 500 items as compared to about 180 items earlier. Future development of industries in the country would as far as possible be based on indigenous technology. The Government, the Minister added, would not favour large-scale industry merely for demonstration of sophisticated skills or as monuments of irrelevent foreign technology. The role of large-scale industry would be related to the programme for meeting the basic minimum needs of the population through wider dispersal of small and village industries and strengthening of the agriculture sector.

In order to promote technological self-reliance, the Government recognised the necessity for continued inflow of technology in sophisticated and high priority areas where Indian skills and technology were not adequately developed. In such areas, the Government's preference would be for outright purchase of the best available technology and then adapting such technology to the country's needs.

The Government, the Minister said, attached great importance to balanced regional development of the entire country so that disparities in levels of development between different regions were progressively reduced. The Government had decided that no more licences should be issued to new industrial units within certain limits of large metropolitan cities having a population of more than 1 million and urban areas with a population of more than 5 lakhs as per the 1971 census.

The Government were also examining the possibilities of encouraging workers' participation in the equity of industrial units without, in any way, adversely affecting their interests. Such equity participation together with an active association of workers in decision-making from the shop floor level to the Board level would provide the necessary environment for a meaningful participation by workers in the management of industry.

Samachar: Making a statement on November 14, 1977 the Minister of Information and Broadcasting, Shri L. K. Advani informed the House that the Government were in favour of restoring the *status quo ante* with regard to 'Samachar' and, therefore, of the revival of the four news agencies which existed prior to their so called 'voluntary merger' on January 24, 1976. In arriving at this

decision, the Government had taken into account recommendations made by the Experts Committee on News-agencies headed by Shri Kuldip Nayar as also the public reaction to its recommendations. The Government had also taken note of the fact that *Samachar*, in a sense, was a product of and symbol of the Emergency and indeed an aberration arising out of the Emergency. The Government's role, Shri Advani pointed out, was limited to setting right that aberration. It would then be open to them, if they so desire, to cooperate or come together.

Shri Advani assured the House that the Government would be willing to consider financial help for the participation of news-agencies—individually or jointly—in the Non-Aligned News-agencies Pool and for developing services in Indian languages. It would also help protect the present emoluments of employees of *Samachar*.

The House discussed the statement on November 30 and December 1, 1977 on a Motion moved by Shri Samar Guha.

Participating in the discussion, Shri Advani on December 1, 1977 said that the creation of *Samachar* was not a natural evolution. It was a deliberate design to make the news-agencies serve as tools of the then ruling party for purposes of political aggrandisement. The Government had no other option but to restore the *status quo ante*. The Government felt that the press should neither be subject to state control nor left entirely to the unregulated forces of the market. They did not believe in arm-twisting or pressurising the Press.

Sugarcane, Gur and Khandsari: The Minister of Agriculture and Irrigation, Shri Surjit Singh Barnala in a statement on December 23, 1977 said that the Chief Ministers of States concerned have been requested to ensure that the sugarcane growers were paid the same level of cane prices as last year by the factories. As a result of the larger availability of gur and khandsari and also as a result of the larger distribution of sugar, the prices of gur were falling to unduly low levels. He assured the House that the Government would protect the interests of the sugarcane growers by taking suitable remedical measures.

Dr. Laxminarayan Pandeya raising discussion under Rule 193 the same day pointed out that the statement made by the Minister was disappointing. He demanded that the Government should lay down a definite policy in the interest of farmers with a view to ending crisis in the *khandsari* and *gur* industries.

Replying to the debate, Shri Barnala said that the Government did not favour doing away with dual policy in regard to sugar as that would hit hard the *khandsari* and *gur* industries and would render large number of people jobless. He added, it would also not be possible to fix uniform price for levy sugar throughout the country as the production and production techniques varied from region to region. The matter regarding export of *gur* was under the consideration of Government, he added.

Earlier, replying to a Half-an-hour discussion on the Nationalisation of sugar industry raised by Shri Jyotirmoy Basu, the Minister of State in the Ministry of Agriculture and Irrigation, Shri Bhanu Pratap Singh had stated on December 16, 1977 that the Government did not believe in nationalisation for the sake of nationalisation or for the sake of ideology. He added that Government were progressively encouraging the establishment of cooperative sugar factories.

B. Legislative Business

*Constitution (Forty-Fourth Amendment) Bill**: Moving that the Bill be taken into consideration, the Minister of Law, Justice and Company Affairs, Shri Shanti Bhushan on December 19, 1977 said that the measure sought to restore to the people some of the important fundamental rights, which were lost and to the judiciary the authority it had been wrongly deprived of.

Replying to the discussion in which 18 Members participated, the Minister assured the House that the comprehensive Bill which was proposed to be introduced in the next Session would contain provisions which would deal with the Emergency provisions so that the kind of Emergency that the country saw during the last two years it might never see again. The matter regarding the deletion of fundamental right of 'property' was under consideration and something would be done at the appropriate time.

Dealing with the points raised during the clause-by-clause consideration of the Bill, the Minister on December 20, 1977 maintained that the Constitution (Forty-second Amendment) Act had not altered the constitutional position of the President. Even before that enactment the matter was considered by a Bench of seven judges of the Supreme Court who unanimously came to the conclusion that the

*The Bill was introduced by the Minister of Law, Justice and Company Affairs on December 16, 1977.

President was merely a Constitutional head and that he was bound to act in accordance with the advice of the Council of Ministers.

The Bill was passed.

Banking Service Commission (Repeal) Bill: On November 29, 1977 the Minister of Finance, Revenue and Banking, Shri H. M. Patel moved that the Bill be taken into consideration. Initiating the discussion, the Minister said that the need to have a Banking Service Commission set up in February, 1977 was reviewed by the Government and it was felt that a centralised system of recruitment was likely to interfere with the autonomy and flexibility in the working of public sector Banks and would make recruitment process unwieldy. In its place, the Government had decided to set up regional Recruitment Boards. The proposed system, the Minister added, was well designed to ensure fair, efficient, timely and regional bias in recruitment and the new arrangements would come into force from the next year.

The Leader of the Opposition, Shri Y. B. Chavan opposing the Bill remarked that it was another way of denationalising the system which the previous Government had introduced.

Winding up the discussion on December 5, 1977 the Minister assured the House that the Government had not the slightest intention of denationalisation. The Government, he added, had in fact gone very much further in strengthening and improving the nationalized banking system since it came into power.

The Bill was passed.

The House earlier negatived a Statutory Resolution moved by Shri Sougata Roy on November 29, 1977 seeking disapproval of the Banking Service (Repeal) Ordinance promulgated on September 19, 1977.

Payment of Bonus (Amendment) Bill: Moving that the Bill be taken into consideration, the Minister of Parliamentary Affairs and Labour, Shri Ravindra Varma said on December 5, 1977, that it sought to replace the Payment of Bonus Ordinance promulgated on September 3, 1977. The limited, urgent and immediate objective of the Ordinance was to restore the position that existed before the compulsory minimum bonus was done away with during the Emergency.

Pending the formulation of an integrated policy on wages, incomes and prices, the Government, among other things had decided

that the level of minimum bonus be fixed at 8.33 per cent of the annual wages whether the establishment made profit or not during the accounting year.

Replying to the discussion on December 7, 1977, the Minister reiterated that the Government was committed not only to restore the concept of bonus being a deferred wage but to work out an integrated scheme of wages, incomes and prices in order to ensure that adequate surpluses are generated with a legitimate share for workers in the benefits from them. The Minister made it clear that the present measure sought to extend the coverage of the Bonus Act as it existed before 1976 and did not expand it to other areas.

Resuming his speech on December 9, 1977, the Minister said that the present measure was for one year. The Government, he added, was contemplating to deal with the problem of industrial unrest, firstly by removing the irritants and secondly by streamlining the machinery for settlement of disputes. The Government, he assured, would bring forward a labour legislation to remove lacuna in the existing legislation.

The Bill as amended, was passed on December 12, 1977.

Supreme Court (Number of Judges) Amendment Bill: Moving that the Bill be taken into consideration, the Minister of Law, Justice and Company Affairs, Shri Shanti Bhushan said on December 16, 1977 that the Bill had been brought for seeking authority to increase the number of judges in the Supreme Court to the extent of 17 in addition to the Chief Justice of India. It would be exercised to appoint more judges in the Supreme Court only to the extent necessary.

Replying to the discussion on December 20, 1977 the Minister said that it was an unpracticable proposition to have several branches of Supreme Court in various parts of the country. In regard to the recent appointment of two judges of the Supreme Court, the Minister added, that these were made on the basis of unanimous views of the Chief Justice and other Judges of the Supreme Court.

The Bill was passed.

C. The Question Hour

During the Third Session of the Sixth Lok Sabha, 13958 notices of questions (11,232 Starred, 2,240 Unstarred and 486 Short Notice Questions) were received. Out of these questions 550 Starred, 5094 Unstarred and 8 Short Notice Questions were admitted. After the List of Questions were printed, 10 Starred and 110 Unstarred Questions were transferred from one Ministry to another.

Daily average of Questions: The Lists of Starred Questions every day contained 20 questions excepting that on the 24th, 28th and 30th November, and 2nd, 7th, 16th, 22nd and 23rd December; 1977 the list contained 21 questions and on 19th December 1977, 22 questions. On an average 5½ questions were orally answered on the floor of the House daily. Maximum number of questions orally answered was 8 on the 29th November 1977 and 7th December 1977 and the minimum number of questions answered orally was 3 on the 22nd December, 1977. The average number of questions in the Unstarred List came to 185 as against the prescribed limit of 200 questions.

Half-an-hour Discussions: In all 185 notices of Half-an-Hour Discussions were received during the Session. Out of these, only 9 could succeed in the ballot and 8 were discussed in the House.

RAJYA SABHA*

(Hundred and third Session)

The Rajya Sabha met for its Hundred and Third Session on Monday, November 14, 1977. Some of the important items of business transacted during the session are briefly given below:—

A. Discussions

Rise in prices: On November 14, 1977, the price situation in the country was discussed at length in the Rajya Sabha when Shri Prakash Veer Shastri raised a short duration discussion on the subject. He said that the Prime Minister in his very first press conference had expressed the hope that Government would be able to reverse the rising trend in prices within three months. But this problem could not be solved and the common man was worst hit by the soaring prices of essential commodities. The problem should

*Contributed by the Research Unit, Rajya Sabha Secretariat.

be tackled at the national level and the Government shoud not go on blaming the former Congress Government for everything. Rather, they should take some concrete steps to bring down the prices.

Replying to the discussion Shri Mohan Dharia, Minister of Commerce and Civil Supplies and Co-operation, outlined the objectives of the price policy of the Government as under:—

(a) a firm control over money supply;

(b) incentive prices in order to secure an adequate increase in the production of basic consumption goods;

(c) timely arrangements for import of commodities in short supply;

(d) a well-functioning public distribution system; and

(e) stringent action against unscrupulous traders and hoarders.

He said that the prices of a large number of commodities had come down to a great extent as a result of the measures taken by the present Government and that the rate of inflation had also come down as compared to the position obtaining during the corresponding period in the previous year. According to the manifesto of the Janata Party, essential commodities and articles would be made available to the common man at reasonable prices and it was on the basis of that commitment to the people that the present decisions and steps were being taken and would continue to be taken in future.

Attacks on Officials of Indian Missions Abroad: On November 15, 1977, Shri Prakash Veer Shastri called the attention of the Minister of External Affairs to the reported threats to and attacks on the officials of the Indian Missions abroad particularly in U.K. and Australia.

The Minister of External Affairs, Shri Atal Bihari Vajpayee, making a statement in reply said that since August, 1977, incidents had occurred in Australia and the United Kingdom in which Indian Officials had been physically harmed and their buildings and property subjected to damage. The officials had received letters containing threats of physical violence. Apart from U.K. and Australia, other Missions where such threats had been received were Kathmandu, New York, Washington, Paris, Stockholm and Hong Kong. The threats had allegedly emanated from an organisation

calling itself the Universal Proutist Revolutionary Federation. In almost all the cases the letters called for the immediate and unconditional release of Shri P. R. Sarkar, the founder of the Anand Marg.

He said that the information available so far indicated that the Anand Marg and its followers in the various countries were involved in these incidents.

Replying to the points raised by the members, the Minister emphatically denied that any member of the Union Cabinet was interested to secure the release of Shri Sarkar or had any sympathy for the Anand Marg. He also said that there had been no evidence so far which might suggest that any international agency was behind these incidents. The Minister assured the House that the Government of India were quite concerned about these incidents and they did not take the situation lightly, particularly when the lives of their officials working in that Missions abroad were in danger.

Railway accidents: On February 16, 1977, the Rajya Sabha discussed certain serious accidents on the Railways in various parts of the country when Shri Jagjit Singh Anand initiated a discussion on the subject under rule 176. Expressing his concern over the railway accidents, the Member said that the graph of rise and fall of accidents was erratic and so long as this was so, it could not be said that there was any qualitative improvement in the situation in the matter of railway accidents. The average cost of accidents continued to be heavy and the proportion of accidents due to lapses on the part of the railway staff also remained on the higher side. By way of measures to prevent recurrence of these accidents, the Member suggested installation of speedometers in every train to check over-speeding; manning of unmanned level crossings and discarding of overaged railway engines which accounted for 50 per cent of the railway accidents. He pleaded for quiker dieselisation and electrification of the railways despite the rising cost, and for relaying of the track so that it could withstand speedier trains and heavier engines.

Replying to the discussion, the Minister of Railways, Professor Madhu Dandavate, detailed the various steps taken by the Government to minimise railway accidents, which included reshuffling of officers, intensification of patrolling on railway track, reduction in the prolonged hours of duty of railway staff in mail, express and passenger trains to 10 hours, etc. As far as the question of bonus for railwaymen was concerned, the Minister said that the Bootha-

lingam Committee would go into the income, wage and price policy in depth and the Government would take a decision in the matter when the Committee's recommendations were received.

Reports of the Commissioner for Linguistic Minorities in India: Moving the motion for consideration of the Fifteenth and Sixteenth Reports of the Commissioner for Linguistic Minorities, Shri Dhanik Lal Mandal, Minister of State in the Ministry of Home Affairs, said that under the existing arrangements, the main responsibility for implementing the scheme of providing safeguards for the linguistic minorities was that of the State Governments and the Commissioner for Linguistic Minorities was not required to discharge executive functions.

The Minister said that the present Government were determined to preserve the secular, richly diverse and democratic set up of the Republic. It was the endeavour of the Government that the safeguards provided for the linguistic minorities should not only be strengthened but also be made more effective. It was the intention if the Government to grant full protection to linguistic minorities in matters relating to their education, culture, languages and ventilation and redressal of their legitimate grievances.

Replying to the discussion, the Minister said that in order that all the safeguards given to minorities under the Constitution or other safeguards were protected, the Government would set up a Commission. The details about its terms of reference, composition and personnel were under active consideration.

Refugees from Bangladesh: On November 23, 1977, Shri Kalyan Roy called the attention of the Minister of External Affairs to the reported influx of a large number of refugees from Banladesh into various States in Eastern India and the situation arising therefrom.

Making a statement on the subject Shri Samarendra Kundu, Minister of State in the Ministry of External Affairs, said that ever since Partition, there had been some migration of the erstwhile Pakistani and later Bangladeshi nationals into the neighbouring States in India. Historically also there had been movements of population, particularly of people belonging to the same ethnic group living in this area. There was a large scale influx of refugees into India during the liberation war in Bangladesh. Most of these refugees returned to their country after Bangladesh emerged as a sovereign national entity. Since then, Bangladeshi nationals who had been crossing over to India were either those who came with valid documents or

those who entered illegally. Those who entered or stayed in India illegally were not treated as refugees.

The Minister said that it was basically the responsibility of the Bangladesh Government to prevent migration outside their country. The Government of India had on a number of occasions and at different levels sought to impress upon them that it was primarily their duty to check or arrest the flow of migration to India. The Government of India on their part were maintaining strict vigilance along the border. It was important to underline that any attempt to treat illegal entrants as refugees and to exaggerate the problem could have serious implications for Indo-Bangladesh relations and for maintaining harmony and peace in the two countries.

The Prime Minister, Shri Morarji, R. Desai, added that was not the policy of the Government of India to interfere in the internal affairs of other countries. It was incorrect to suggest that the Government of India had pushed back one thousand people to Bangladesh. Those who were here went to Bangladesh on their own. The Government had all sympathies for the minority people and was trying to do all that which could be done to solve their problems. He had also received assurance from the President of Bangladesh that appropriate steps would be taken in this regard by the Government of that country.

Unprecedented Havoc Caused by Cyclones: The Unprecedented havoc caused by the recent cyclones in the coastal districts of Andhra Pradesh, Tamil Nadu and other Southern parts of the country was the subject matter of discussion in the Rajya Sabha on November 24, 1977. Shri N. G. Ranga, initiating the discussion, said that apart from heavy casualties in human lives there must be many more people who might have suffered injuries and had lost their houses, their huts, their hearths. This was a disaster which was almost unparalleled in the country. The Government of India should urgently send food articles and clothing for the cyclone affected people and should continue to bear this expenditure whatever be the cost involved.

Shri Range urged the need for a regular plan for the whole of the South to build permanent anti-cyclone shelters in the coastal areas at the cost of the Government so that whenever there was a warning for this kind of disaster, the homeless and the hutment people would be able to go and find shelter there. He suggested establishment of a world organisation to relieve this kind of suffering

of the masses who became victims of cyclones, typhoons, floods, famines etc.

Shri Bhanu Pratap Singh, Minister of State in the Ministry of Agriculture and Irrigation, replying to the discussion said that there was no question of minimising the havoc wrought by cyclones in the four States of South India. The Central Government considered it a national calamity and was tackling the problems created by it on that basis. It was not fair to introduce party considerations or to talk of discrimination between South and North while talking about such a national calamity. It would be a sin to make political capital out of the sufferings of the people hit by the cyclone.

The Minister said that there had been no lapse on that part of the Meteorological Department. The information with regard to the approaching cyclone was flashed 48 hours before the event and through the All India Radio also the information about the approaching cyclone was broadcast between November 17 and 19, 1977. Had the local administration taken appropriate steps after the Meteorological Department had flashed the warning, there would not have been such a colossal loss of human life and property which one actually witnessed.

The Minister assured the House that in the present hour of national calamity the Central Government was rushing all possible aid to the State Governments. While the Government was grateful to the various countries and international agencies for their offers of help, the country had, however, sufficient resources at the moment in terms of foodgrains, medicines and doctors for the relief operations and there did not appear to be any need for acceptance of foreign aid.

India-Bangladesh Agreement on sharing of Ganga waters at Farakka: The Agreement between the Governments of India and Bangladesh on sharing of Ganga waters at Farakka came up for discussion on November 28, 1977. Shri Kalyan Roy, initiating the discussion, said that the Agreement involved 60 million people of the Indo-Gangetic plain and, more than that, it involved not only India and Bangladesh but also Nepal and Bhutan and ultimately involved the life of 600 million people and affected the economic survival of about 10 eastern and north-eastern States. It was a question of life and death for the people of West Bengal, because the fate of the Calcutta port was inexorably connected with the Agreement. The construction of the Farakka Barrage was completed at a cost about Rs. 156 crores to save the Calcutta port and

the minimum requirement for the port estimated by all concerned was 40,000 cusecs during the lean months. Farakka could give the Calcutta port 47,000 cusecs of water and save it from silting. The Government had, therefore, completely ignored the interests of the Calcutta Port in signing the Agreement.

Intervening in the discussion, Shri Morarji Desai, Prime Minister, explaining the background of the Agreement said that when Farakka Barrage was taken up, there was no agreement between Pakistan and India, but objection was raised by Pakistan. Accordingly, the commissioning of the barrage was not possible unless there was an agreement between the two countries. It was only after the Prime Ministers of both the countries came to an agreement that the Farakka Barrage was commissioned. The agreement was to the mutual advantage of both the countries.

Replying to the discussion, Shri Jagjivan Ram, Minister of Defence, said that the present Agreement was a very clear one and contained no secret clauses. In 1974, the Prime Ministers of both the countries took a decision that when the Farakka dam was completed it should be commissioned only after the dispute regarding the distribution of water between the two countries was settled. Since India had spent 150 crores of rupees on the construction of this dam, she was anxious to see that the Farakka dam was commissioned as early as possible. An attempt was made in 1975 to settle the issue. After long negotiations an agreement was reached for four months only. But after that, unfortunately, certain serious events took place in Bangladesh. Thus no new Agreement could be entered into at that time. Since Farakka dam had already been commissioned, India continue to get water from it. After some time the new Government of Bangladesh wrote to the Government of India for settling the dispute and negotiations took place between the two countries. Although the Farakka issue was taken to the United Nations by Bangladesh, the Government of India tried to see that the issue was settled through bilateral negotiations.

Bangladesh was India's neighbouring country. The two countries could be in peace only when they maintained friendly relations with each other. In reaching this Agreement India had no doubt shown some generosity to Bangladesh but the interest of Calcutta Port had also not been overlooked.

Increasing incidents of sabotage: On November 29, 1977, Shri Dhanik Lal Mandal, Minister of State in the Ministry of Home Affairs, making a statement in the Rajya Sabha, in response to a

Calling Attention Notice by Shri Harsh Deo Malaviya regarding the serious situation arising out of the increasing incidents of sabotage in the country, observed that the recent incidents of suspected sabotage had caused the Government great concern and had given rise to some legitimate misgivings in public mind. In the month of November, 1977 alone, there had been four train accidents where the circumstances led to a strong suspicion of sabotage—the worst being the derailment of the Delhi-Ahmedabad Mail on November 23, 1977, in which a respected Member of Rajya Sabha lost his life. Such apprehensions were understandable and it had, therefore, been impressed upon the State Governments concerned and the Delhi Police that no efforts should be spared in making thorough and comprehensive investigations into all these incidents. Arrangements for greater vigilance and protection of all vital installations had been taken in hand. Fullest cooperation of the Central Government would also be extended to the concerned law enforcement agencies in completing their investigations and in taking all steps against the guilty, according to law. The Government was confident that the concerned State Governments would spare no efforts in unearthing all the facts behind these incidents.

Shri Charan Singh, Minister of Home Affairs, replying to the points raised, said that as the enforcement of law and order was the immediate responsibility of the State Governments, the Central Government could only give technical advice or could deploy the Central Reserve Police and other Centrally organised police forces in the States, whenever the concerned State Government so required.

Expressing his concern, the Home Minister added that the Government had suspicions that there might be some design behind the incidents which occured recently. However, in the absence of any definite evidence, no accusation or allegation could be levelled against anybody at this stage. It was for the police agencies or the law enforcement agencies to find out if there was a pattern behind it and if there was any organisation working behind all these incidents.

Government's Statement on "SAMACHAR": The Government's statement on 'SAMACHAR'* came up for discussion in the Rajya Sabha on November 29, 1977. Initiating the discussion, Shri Vithal Gadgil said that the Government wanted to reduce the *Samachar* to a subordinate position—the very thing for which the previous

*Statement made in the Rajya Sabha in November 14, 1977.

Government was criticised. The real problem was how to provide an impartial, comprehensive, objective and efficient news service to the nation.

Shri Lal K. Advani, Minister of Information and Broadcasting, replying to the discussion, said that while the Government's decision, if implemented might not create an ideal situation for the news agencies, at the same time it was not at all politically motivated. The Government firmly believed in the freedom of the Press and non-intervention by the State in Press matters. Even the Press Commission had said that competition among news agencies was necessary to provide a corrective and that as in the case of justice, a news agency should not only posses integrity, but should also seem to possess it. During the past eight months, almost every section of the society had certain complaints against *Samachar*. So under the present circumstances, the Government had only one alternative left and that was that news agencies forced to merge under pressure and against their will during the Emergency should be allowed to function independently as they were doing earlier.

Projecting the financial point of view, Shri Advani observed that with the merge of news agencies, the *Samachar* became a Class One agency. So the pay-scale of the journalists working there were also raised. This resulted in a greater liability and the Government had to spend a heavy amount of money. Therefore, the Government decided that the old dynamism should be restored and the burden on the public exchequer should be reduced.

Reservation of Quota in Central Services for Backward Classes and Minority Communities: On December 9, 1977, Shri Shyam Lal Yadav, raised a half-an-hour discussion in the Rajya Sabha regarding reservation of quota in Central Services for backward classes and minority communities. He pointed out that it was mentioned in the election manifesto of the Janata Party that to reduce disparities between the backward and the more educationally and economically advanced sections of the society 25 to 33 per cent of all appointments to Government services would be reserved for the backward classes, as recommended by the Kalekar Commission. The Government was not, however, inclined to keep that promise. It was necessary that a Ministry of Backward Classes should be constituted and minority communities should be given a reservation of 40 per cent in the Police Force because it was the police force which perpetrated excesses and atrocities on the minorities.

Shri Dhanik Lal Mandal, Minister of State in the Ministry of Home Affairs, replying to the discussion said that the Report of the Backward Classes Commission submitted in 1955 was not unanimous on the criteria of the classes to be included in the list of backward classes. So the criteria for backwardness and the classes to be included in the list had been left to the State Governments. The State Governments, therefore, had their own lists of backward classes and they had made some reservations in the services for these classes. It was a very complex issue. The Janata Government was trying to fulfil the assurances given in its election manifesto and intended to constitute a Commission which would see that the safeguards provided in the Constitution to the scheduled castes, other backward classes, minority communities and tribals were implemented.

Government Policy for prescribing Text Books: Dr. V. P. Dutt, initiating a discussion on December 14, 1977 regarding prescribing of text books in the country, said that the subject impinged on a wide variety of disciplines and issues. The case of text books of history had aroused the greatest concern and misgivings. Facts were sacred, but history could not just be the meaningless compilation of facts alone, because it was assessment, interpretation, and selection of facts. Facts generally did not speak for themselves; it was what we made them speak for. Therefore, history had to be considered as history of social change and development and of socio-economic struggles for progress. The text-books of science were totally outdated. The Government should not only make a survey of science teaching and education in the country, but also take the vitally needed steps for strengthening science education and particularly improving the science text-books. While deciding about the text-book policy, it must be remembered that the development of the country as a civilised, and organised society with freedom, proud of its past and equally impatient for its future, depended on the kind of knowledge and information that was given to the young boys and girls in schools and colleges.

Dr. Pratap Chandra Chunder, Minister of Education, Social Welfare and Culture, replying to the discussion, said that the Government should have looked into all the text books and it might do so stage by stage because it was in the process of revising the entire class 10 curricula. The Colleges and Universities in the country should be given full autonomy in the matter of selection of text books, subject, of course, to the basic concept of nationalism and national integration.

Government's Industrial Policy: Making a statement in the Rajya Sabha on December 23, 1977, Shri George Fernandes, Minister of Industry, said that for the past twenty years Government policy in the sphere of industry had been governed by the Industrial Policy Resolution of 1956. While some of the elements of that Resolution still remained valid, the results of actual policies in the industrial field had not been up to the expectations or declared objectives. The new Industrial Policy was, therefore, directed towards removing the distortions of the past so that the genuine aspirations of the people could be met within a timebound programme of economic development. The main thrust of the new industrial policy was on cottage and small industries widely dispersed in rural areas and small towns. The list of industries which would be exclusively reserved for the small-scale sector had been significantly expanded and would now include more than 500 items as campared to about 180 items earlier. In order to provide effective financial support for promotion of small, village and cottage industries, the Industrial Development Bank of India had taken steps to set up a separate wing to deal exclusively with the credit requirements of this sector.

The Minister further said that in its licensing policy, the Government would regulate the activities of the Large Houses to bring them in line with the country's socio-economic goals. It would be the policy of the Government to ensure that no unit or business group acquired a dominant or monopolistic position in the market. The present industrial activities of the Large Houses would be scrutinised so that unfair practices arising out of manufacturing inter-linkages were avoided.

There would be an expanding role for the public sector in several fields. The public sector would be charged with the responsibility of encouraging the development of a wide range of ancillary industries. So far as existing foreign companies were concerned, the provisions of the Foreign Exchange Regulation Act would be strictly enforced.

The Government was examining the possibilities of encouraging workers' participation in the enquity of industrial units without in any way adversely affecting their interests.

B. Legislative Business

*Payment of Bonus (Amendment) Bill, 1977**: Dr. Ram Kripal Sinha, Minister of State in the Ministry of Labour and in the De-

* The Bill, was passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on December 12, 1977.

partment of Parliamentary Affairs, moving the motion for consideration of the Bill on December 20, 1977, said that the Bill, which had already been passed by Lok Sabha, sought to replace the Payment of Bonus Ordinance promulgated on September 3, 1977. The measure sought to restore the minimum of 8.33 per cent bonus for the accounting year commencing from any day in the year 1976. It also provided that the employees and employers could enter into agreement for payment of bonus on a formula different from that contained in the Act but which kept in view the minimum and maximum limits of bonus prescribed. The employees of the banking companies and Industrial Reconstruction Corporation of India had also been brought within the purview of this Bill. The Bill was passed by the Rajya Sabha on December 22, 1977.

*Constitution (Forty-Fourth Amendment) Bill, 1977**: Shri Shanti Bhushan, Minister of Law, Justice and Company Affairs, moving the motion for consideration of the Bill on December 23, 1977, said that the contents of the Bill had received support throughout the country and in the other House. The Forty-second Amendment Act, by inserting article 31D in the Constitution, gave Parliament power to make law seeking to impose any kind of restriction on the people of the country transcending the fundamental rights guaranteed by articles 14, 19 and 31 of the Constitution. This was a blanket power and had come in for condemnation and criticism throughout the country. The present Bill sought to repeal article 31D.

The Forty-second Amendment also deprived the High Courts of their power to sit in judgment over the validity of either a Central legislation or even a statutory notification made by the Centre under these laws. It was a great impediment for the citizens in getting relief against any effective law or order. The present Bill sought to remove that impediment. Likewise, the jurisdiction of the Supreme Court to sit in judgment over the validity of State laws was also sought to be restored.

The Forty-second Amendment provided that when the validity of a State law or a Central law was quesioned in a High Court, a minimum number of five judges must sit irrespective of the importance of the matter, and if it was questioned in the Supreme Court, a minimum number of seven judges must sit to consider the matter. It had also been provided that the Central law or a State law had to be

**The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on December 20, 1977.

struck down by the Supreme Court or the High Court by a two-thirds majority. The effect of such a provision was that whenever such a question was to be considered by the High Court or the Supreme Court, a judge who accepted the contention of the Government and supported the validity of the law was given two votes in the decision as against the one vote of the judge who happened to take a view contrary to the claims of the Government. Thus it was a serious position that the judges were not equal in their voice. It was a peculiar principle of two-thirds majority which made judges unequal from each other. The Janata Government had decided to bring forward the present measure in order to restore equality among the judges.

The Bill was passed by the Rajya Sabha on the same day in accordance with the provisions of article 368 of the Constitution.

Supreme Court (Number of Judges) Amendment Bill, 1977*: On December 24, 1973, Shri Shanti Bhushan, Minister of Law, Justice and Company Affairs, moving the motion for consideration of the Bill said that as rule of law was the very foundation of democracy, every person was entitled to seek justice in a Court of Law whenever he felt that some wrong was being done to him. It was also essential that justice should be done to him within reasonable time. Due to the increased load of work, the Courts, including the Supreme Court, were taking more than reasonable time in deciding the cases. In the Supreme Court also the arrears of cases had been increasing. In 1962 there were 1703 pending cases. This number had gone up to 14,770 on April 30, 1977. Although other steps were also being considered to meet the situation, it was thought that unless the number of judges in the Supreme Court was increased, the situation would not improve much. The Bill sought to increase the number of Judges in the Supreme Court by four from the present thirteen besides the Chief Justice.

The Bill was passed by the Rajya Sabha on the same day.

Statutory resolutions disapproving the Banking Service Commission (Repeal) Ordinance, 1977 *and the Banking Service Commission (Repeal) Bill*, 1977: Shri Pranab Mukherjee, moving the resolution on December 8, 1977 said that with the present rate of expansion of branches of the banks in the nationalised sector, nearly

*The Bill, as passed by the Lok Sabha, was laid on the Table of the Rajya Sabha on December 22, 1977.

40,000 people would be recruited in this sector after a period of five years. One centralised recruiting agency like the Banking Service Commission was going to be too unwieldy for this task. This was realised even when the Banking Service Commission Act was passed. It was provided in the Act that there might be four regional centres of recruitment and, if needed the Act could be suitably amended to increase the number of these recruitment centres. The motive behind the move, however did not seem to be one of giving more flexibility and autonomy to the banks but to denationalise them. The Banking Service Commission was a professional body because the Act itself provided that out of the eight members, at least four should be well versed in the banking industry as a whole. But the Government did not want an independent, impartial agency to recruit persons for the banking sector; they wanted to leave it to the individual wishes of the Boards of Directors of the banks.

Shri H. M. Patel, Minister of Finance and Revenue and Banking, moving the motion for consideration of the Bill, said that the Banking Service Commission Act was enacted in 1975 with a view to establishing a Banking Service Commission for the selection of personnel for appointment in public sector banks. Although the Banking Service Commission Act was passed in August, 1975, no steps were taken towards the establishment and functioning of the Commission until February, 1977, when the Chairman of the Commission was appointed. The new Government considered it necessary to look at the problems of recruitment afresh. It was the considered view of the Government that a centralised system of recruitment as envisaged in the Banking Service Commission Act, 1975, would be unduly rigid and inefficient. Having regard to the need to enter deep into the rural areas, only a decentralised arrangement could succeed in ensuring regular and timely recruitment of men and women, with the knowledge of attitudes and the outlook of the people of the areas in which they would have to work. It was, therefore, essential in public interest to dissolve the Banking Service Commission by an ordinance and to evolve a new and more appropriate decentralised scheme with the utmost speed.

On a division being held, the Resolution was adopted and the Motion for consideration of the Bill was negatived.

C. Obituary References

The Chairman made references to the passing away of Shri Prakash Veer Shastri, sitting-Member; and Kazi Karimuddin; Shri

Abdul Rahim, and Pt. Bhawaniprasad Tiwary, ex-Members. The House observed a minute's silence on each occasion as a mark of respect to the memory of the deceased.

STATE LEGISLATURES

TAMIL NADU LEGISLATIVE ASSEMBLY*

Plight of Tamils in Sri Lanka: On August 24, 1977 the Assembly adopted the following resolution:

> "This House is greatly shocked to note from the reports received that hundreds of Tamils in Sri Lanka have been killed, attacked with mob fury and the Tamil womenfolk have been subjected to violence and atrocities during the past few days.
>
> No civilised nation would hesitate to condemn the violence to the Tamils who have given their hard labour for the prosperity and development of Sri Lanka which is a friendly neighbouring country culturally linked with India for a very long time.
>
> Though it is a convention that no nation would interfere with the internal affairs of another nation, yet it is an accepted norm in the present civilised world to condemn, with a human gesture, the acts of injustice done to humanity, denial of human rights to any one in any part of the world.
>
> This House is bound to point out that the citizens of India, particularly those of Tamil Nadu, by virtue of their ties of language, culture and history, have a right and duty to condemn the savage fury let loose on the Tamils in Sri Lanka and request the Government of Sri Lanka to put down such acts of violence and mob fury.
>
> This House cannot brush aside its obligation to point out to the Government of Sri Lanka through the Government of India, the outraged feelings of the people of Tamil Nadu and their determination to condemn the atrocities.
>
> Therefore, this House urges upon the Government of India to request the Government of Sri Lanka to take immediate steps to put down the acts of violence and atrocities which are agitating the minds of the people of India in general and of Tamil Nadu in particular to which the Tamils in Sri Lanka are subjected and also to safeguard the interests of the Tamils in Sri Lanka.
>
> As the properties of the Tamils in Sri Lanka have been reported to be plundered on a very large scale and as those who have acquired citizenship rights as well as those who have not acquired citizenship rights have suffered heavy damages and are in great difficulties, this House requests our Prime

*Contributed by the Tamil Nadu Legislative Assembly Secretariat.

Minister to negotiate with the Government of Sri Lanka to pay adequate compensation to the affected families.

While welcoming the steps already taken by the Government of India to safeguard the interests of the Tamils in Sri Lanka and to prevent the occurrence of such unfortunate conditions again, this House recommends to the Government of India and the Prime Minister of India, as the incidents reported in Sri Lanka are very cruel and inhuman and such as would break the hearts of the people of Tamil Nadu, to take steps, in addition to the steps already taken in this matter, to depute to Sri Lanka a representative in the status of a Cabinet Minister to study the true state of affairs and to have direct talks with the Government of Sri Lanka in order to assuage the feelings of Tamils in Sri Lanka and to afford protection to them and to restore peace and offer consolation to them".

10

BOOK REVIEW

DIMENSIONS OF SOCIAL CHANGE IN INDIA. Edited by M. N. Srinivas, S. Seshaiah and V. S. Parthasarathy. Allied Publishers Private Limited, New Delhi, 1977. 518 pages. Rs. 60.00.

This volume on "Dimensions of Social Change" is the result of a national seminar on social change organised by the Institute for Social and Economic Change. The papers in this volume have been collected under eight-heads, viz. (i) concepts and methods, (ii) mobility and stratification, (iii) religion and change, (iv) rural social change, (v) family, socialisation and change, (vi) tribes and change, (vii) communications and change, and (viii) New institution building. The first includes six papers. Mukherjee's and Joshi's papers may better be described as two different theoretical approaches, one highlighting measurability and quantification while the other laying stress on ideological problems influencing empirical research. The remaining four papers, contributed by Oommen, Rajagopalan, Bandopadhyay and V. K. R. V. Rao evaluate accepted methods and concepts in sociological research, and mirror conceptual dexterity and refinements.

Mukherjee points out that the wide difference in the social scientists' definition of social metamorphosis frequently leads to imprecise, if not fallacious research.

Joshi advocates in his contribution, "The Value Problem and the Study of Social Change" that the values emanate not in the scientific realm but in the socio-cultural environment. He exhorts the social scientists to critically and reasonably re-valuate value orientations which cropped up while their climes were still under colonial domination and which orientations still continue to thrive. He also lays emphasis on the implications of not discarding antiquated and pristine orientations and admonishes that to apply them to the pre-colonial and post-colonial situations might be serious.

Oommen in his paper 'Analysing Rural Change' expresses the view that rural society is a part society born of the whole national symbiosis and opines that it ought to be comprehended with reference to the wider society. The land based economy of our country, according to him, is a powerful institution and that the transformations in other areas can only be realised with reference to changes in it.

Rajagopalan, in his paper on urbanisation, appears to have burnt midnight oil in questioning the validity of the cause-effect nexus between urbanisation and social change. His whole paper is concerned with city-urban urbanisation framework and gives a clear insight into their character composition variation.

Bandyopadhyay's arguments are based on his analysis of empirical research—whether casteism and untouchability are primarily cultural and religious problems or economic ones. He feels the need for re-evaluation of the role of caste-system within the ambit of modernisation process. His main contention centres around the attainment of conceptual clarity between class and caste. In this context Dr. Lohia's views are highly relevant.

V. K. R. V. Rao in his paper 'Some thoughts on Social Changes in India', adduces the idea of de-Brahminisation.

In the paper, 'The Changing Pattern of Social Stratification in India,' Yogendra Singh makes us believe in the decline in the power of the upper castes. But he also contends that whenever the lower castes acquired power and status, they demonstrated a penchant for translating their skills and secular mobility into traditional terms, i.e. claiming upper caste status and appendages and sanskritising their rituals.

Saberwal in his paper 'Status and Entrepreneurship: The Ramgharia case', delineates the changes occurring among the Ramgharias of the Punjab. His portrayal of low-status carpenters and blacksmiths, who rose to become industrial entrepreneurs deserves kudos.

James Manor in his paper, 'The Evolution of Political Arenas and units of Social Organisation—The Lingayats and Okkalingas of Princely Mysore', contends that the Lingayats are more homogeneous than the Okkalingas.

Sivakumar's paper delineates the extent of differential access to higher education among the various Hindu Castes, and among the

various income, educational and occupational stratas of the society. His main contention is that the benefits of higher education have percolated more to the upper castes than to the lower castes. But he has failed to give convincing data and this makes us feel that the paper is based on the theory of rationalisation and common place axioms. On the whole, his is a readable piece of empirical research into social problems.

Saiyed in his paper 'Indian Muslims and some problems of Modernisation—A Theoretical Exploration', has looked into the cause, responsible for the relatively slow response of Muslims to the forces of modernisation. He asserts that Indian Muslims have to suffer inasmuch as, in addition to their minority status, they have also to withstand the dis-advantages arising from the particu aristic character of Indian society, honey- ombed by castes, sub-c stes, divisions and la.sifications, in which even Hindus become victims of barriers of caste, region and language—a fine piece of empirical research and quite instructive and educative.

Parvathama, Agrawala, Rao, Shah, Vardhachari, Burman, Chauhan, Mishra and others also give us a penetrating insight into a subject which is not only quite difficult, but which has also been unnecessarily complicated by the "Experts". On the whole, the book is a sincere attempt at diagonosing the ailments and prescribing the policies aimed at ushering in a society based on equality, fraternity and mutual understanding.

—MAHANT SHYAM SUNDER DAS
Member of Parliament (Lok Sabha)

11

SUMMARIES OF BOOKS

PARLIAMENTARY PRACTICE IN KENYA. By H. B. Ndoria Gicheru. Published by Transafrica Publishers Ltd., Kenwood House. Kimathi Street, P.O. Box 42990, Nairobi, 1976, 228 pages. Price Shs. 60.00.

This book by the Clerk Assistant of the National Assembly of Kenya is designed to 'convey a general impression of the purpose, organisation and functioning of the parliamentary institution in Kenya and is intended to serve as a ground-work for further study on the subject'. The book, compiled from a series of lectures delivered by the author on different occasions, in fact presents a detailed account of the evolution of Parliament in Kenya and the various aspects of its offices, functions and procedures.

In the opening chapter of the book the author makes some general observations on the system of parliamentary democracy obtaining in the developing countries and discusses the challenges of sectionalism and particularism, the challenges from the Executive and the political parties, the Military and Revolutionary Challenges and the challenge of democratic isolation. In his view there can be no universal rules with regard to the implementation of the principles of democracy and the political systems must not be viewed in isolation, but rather in the light of the total political culture of a society. The parliamentary institutions are sustained by the people they intend to serve and it is essential that the true ends of society, namely the material and cultural welfare of the ordinary people, are taken into account by all developing nations through their respective parliamentary systems of government.

The author has thoroughly gone into the system of debate and etiquette in the House because "it is the real heart of parliamentary proceedings and because the standing orders assume this process and themselves deal only with the rules governing it and the restrictions upon it". In his view, "the essential principle in any legislature is that there should be free and full discussion (but not excessive discussion) leading to a free, clear and well-informed decision....

The Speaker's control of the House lies in the simple fact that all members cooperate in maintaining the orders, customs and courtesies of the House. The success of the strength of parliament must in the long run depend not on written rules but on the attitude of the members to their responsibilities".

In describing the legislative process, the author has emphasised three points, *viz.*, the importance of the rule of law and the acceptance of law as the ultimate authority by every one in the nation; the necessity for adequate drafting services so as to achieve the desired effect; and lastly, though the procedure in dealing with bills may seem cumbersome and unnecessary, no system of enacting laws can be perfect in all its details with respect to every single piece of legislation. The method employed in fact enables the representatives of the people to make the closest scrutiny of all legislation and to become fully acquainted with the contents of every bill by means of exhaustive examination and debate.

Referring to the basic problem of parliamentary questions, *viz.*, the progress during Question Time becoming slower and slower as longer questions and supplementaries are asked and longer answers are given, the author observed that, "strictly speaking, a supplementary question is only in order when asked to elucidate some ambiguity or to supply some omission in the original answer. Supplementary questions must not degenerate into debate; a practice tends to grow up of making counter-statements upon a question being asked, which it is difficult for the Chair to control, and which practically assume the form of a new question given without notice and which should be the subject of a separate Order Paper". He goes on to say that the Speaker "can rebuke the House for being long-winded, but he rightly regards himself as a servant in this matter and makes it clear that the ultimate choice lies with the members". In his view the parliamentary question remains an effective device for instant democracy by providing opportunities for raising topical or urgent issues without delay. It galvanizes a Ministry and keeps the civil service on its toes; directs the attention of the Cabinet to inconsistent or conflicting governmental policies; and exposes instances of administrative inefficiency or private grievance.".

The author has elaborately discussed the procedure relating to financial matters including parliamentary control of finance with particular reference to the role played by the two Select Committees, *viz.*, the Estimates Committee and the Public Accounts Committee. According to the records, in his view, the Estimates Committee was one of the most "active parliamentary Committees during the colonial era but it has not functioned since the country achieved inde-

pendence; it is appointed annually but does not sit owing to shortage of competent staff to serve it, and partly because the purpose of the Committee is somehow achieved through general debates on the floor of the House.

In regard to the Public Accounts Committee, the author thinks that perhaps the most important of all the Committee's functions is merely to exist, for the very existence of the Committee is an overwhelming deterrent to any form of financial irregularity or laxity.

Describing the Committee system obtaining in the Kenyan Parliament the author enumerates and classifies some of the Select Committees in terms of duration rather than the work involved. *viz.* Standing Select Committees like the P A C., Estimates Committee, Privileges Committee, Library Committee, Catering Committee, the Speaker's Committee (to consider and advise Mr. Speaker on all matters connected with the comfort and convenience of honourable members); and the *Ad hoc* Select Committees which are established to inquire into and report upon some special matter and are disbanded when their reports are made to the House. In regard to the Committees the following observation by the author is worth noting:

> If committees are to achieve maximum effectiveness, it is important that their recommendations receive wide publicity and concern. The publicity would lead to the formation of public opinion which would exert considerable pressure on the Government to act upon constructive and practical suggestions. Committee recommendations can, however, be implemented without publicity and the Government should be encouraged to pay greater attention and respect to the views of committees.

The author also analyses the National Assembly (Powers and Privileges) Act which confers on the Assembly certain rights and immunities. In his view, Parliament is both the pulse and the voice of the nation. The privileges of Parliament are the privileges of the people, "for in protecting the rights of members, we are protecting the freedom of the nation as a whole".

Other chapters of the book relate to 'Officers of the House', the recording of parliamentary proceedings, relationship between Parliament, Ministers and the civil servants, the seat of Parliament, public petitions and the role played by the whips under the present party system.

12

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE 3RD SESSION OF THE SIXTH LOK SABHA

1.	Period of the Session	14th November to 23rd December, 1977.
2.	Number of meetings held	27
3.	Total number of sitting hours	179 hours & 5 minutes.
4.	Number of divisions held	14
5.	*Government Bills* :	
	(i) Pending at the commencement of the Session	6
	(ii) Introduced	23
	(iii) Laid on the Table as passed by Rajya Sabha	4
	(iv) Returned by Rajya Sabha with any amendment/recommendation and laid on the Table	Nil
	(v) Referred to Select Committee	Nil
	(vi) Referred to Joint Committee	Nil
	(vii) Reported by Select Committee	Nil
	(viii) Reported by Joint Committee	Nil
	(ix) Discussed	17
	(x) Passed	17
	(xi) Withdrawn	Nil
	(xii) Negatived	Nil
	(xiii) Part-discussed	Nil
	(xiv) Discussion postponed	Nil
	(xv) Returned by Rajya Sabha without any recommendation	2
	(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
	(xvii) Pending at the end of the Session	16
6.	*Private Member's Bills* :	
	(i) Pending at the commencement of the Session	45
	(ii) Introduced	39
	(iii) Laid on the Table as passed by Rajya Sabha	Nil
	(iv) Returned by Rajya Sabha with any amendment and laid on the Table	Nil

(v)	Reported by Select Committee	Nil
(vi)	Discussed	3
(vii)	Passed	Nil
(viii)	Withdrawn	1
(ix)	Negatived	Nil
(x)	Circulated for eliciting opinion	Nil
(xi)	Part-discussed	1
(xii)	Discussion postponed	1
(xiii)	Motion for circulation of Bill negatived	Nil
(xiv)	Referred to Select Committee	Nil
(xv)	Removed from the Register of Pending Bills	Nil
(xvi)	Pending at the end of the Session	83

7. *Number of discussions held under Rule 193* :
(Matters of Urgent Public Importance)

(i)	Notices received	97
(ii)	Admitted	2
(iii)	Discussion held	3 (including one raised during 2nd session).

8. *Number of statements made under Rule 197* :
(Calling-attention to matters of urgent public importance)

	Statements made by Ministers	19

9. *Half-an-hour discussions held* : 8

10. *Statutory Resolutions* :

(i)	Notices received	1
(ii)	Admitted	1
(iii)	Moved	1
(iv)	Adopted	Nil
(v)	Negatived	1
(vi)	Withdrawn	Nil

11. *Government Resolutions* :

(i)	Notices received	1
(ii)	Admitted	1
(iii)	Moved	1
(iv)	Adopted	1

12. *Private Members' Resolutions* :

(i)	Received	7
(ii)	Admitted	7
(iii)	Discussed	4
(iv)	Withdrawn	2
(v)	Negatived	Nil
(vi)	Adopted	Nil
(vii)	Part-discussed	1
(viii)	Discussion postponed	1

13. *Government Motions* :

(i)	Notices received	2
(ii)	Admitted	2
(iii)	Moved	Nil
(iv)	Adopted	Nil
(v)	Discussed	2 (moved during 2nd session.)

14. *Private Members' Motions* :

(i)	Received	385
(ii)	Admitted	215
(iii)	Moved	9
(iv)	Adopted	Nil
(v)	Discussed	10 (including one moved during 2nd session.)
(vi)	Negatived	Nil
(vii)	Part-discussed	2
(viii)	Withdrawn	5

15. *Motions Re: Modification of Statutory Rule* :

(i)	Received	Nil
(ii)	Admitted	
(iii)	Moved	
(iv)	Adopted	
(v)	Negatived	
(vi)	Withdrawn	
(vii)	Part-discussed	

16. Number of Parliamentary Committees, created, if any, during the session ..

17. Total number of Visitors' Passes issued during the session . 44,636

18. Maximum number of Visitors' Passes issued on any single day, and date on which issued . . . . . 3290 on 9-12-72

19. *Number of Adjournment Motions :*

(i) Brought before the House . 1

(ii) Admitted and discussed 1

(iii) Barred in view of adjournment Motion admitted on the subject Nil

(iv) Consent withheld by Speaker outside the House . . . 36

(v) Consent given by the Speaker but leave not granted by the House . Nil

20. *Total Number of Questions Admitted :*

(i) Starred 550

(ii) Unstarred (including Starred Questions converted as Unstarred Questions) 5094

(iii) Short-notice Questions . 8

21. *Working of Parliamentary Committees :*

Name of Committee	No. of meetings held during the period 1st Aug. to 31st Oct., '77	No. of Reports presented during the Session
1	2	3
(i) Business Advisory Committee . . .	1	5
(ii) Committee on Absence of Members .		2
(iii) Committee on Public Undertakings .	21	..
(iv) Committee on Papers laid on the Table .		2
(v) Committee on Petitions	10	1
(vi) Committee on Private Members' Bills & Resolutions	..	5
(vii) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	12	14
(viii) Committee on Privileges	6	1
(ix) Committee on Government Assurances .	2	1
(x) Committee on Subordinate Legislation . .	4	3

1	2	3
(xi) Estimates Committee	2	8
(xii) General Purposes Committee		
(xiii) Rules Committee		
(xiv) House Committee	..	..
(xv) Public Accounts Committee*	18	59
(xvi) Railway Convention Committee		..
Joint/Select Committees		
(i) Joint Committee on Offices of profit	..	..
(ii) Joint Committee on the Lokpal Bill, 1977	8	..

*The Working Groups and the Action-Taken Sub-Committee held 20 and 4 sittings each.

22. Number of Members granted leave of absence 9

23. Petitions presented 6

24. *Names of new Members sworn with dates and constituencies* :

S. No.	Name of Members Sworn	Dates on which sworn	Constituency
1	Shri Rooplal Somani	14-11-77	Bhilwara (Rajasthan)
2	Shri Balwant Singh Ramuwalia	22-12-77	Faridkot (Punjab)
3	Shri Chimanbhai Harilal Shukla	22-12-77	Rajkot (Gujarat).

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED THIRD SESSION OF RAJYA SABHA

1.	Period of the Session	14th November to 24th December, 1977.
2.	Number of meetings held	28
3.	Total Number of sitting hours	154 hrs. & 47 mts. (excluding lunch break)
4.	Number of divisions held	4
5.	*Government Bills :*	
(i)	Pending at the commencement of the Session	7
(ii)	Introduced	5
(iii)	Laid on the Table as passed by Lok Sabha	15
(iv)	Returned by Lok Sabha with any amendment	..
(v)	Referred to Select Committee by Rajya Sabha	
(vi)	Referred to Joint Committee by Rajya Sabha	
(vii)	Reported by Select Committee	
(viii)	Reported by Joint Committee	..
(ix)	Discussed	19
(x)	Passed	16
(xi)	Withdrawn	..
(xii)	Negatived	1
(xiii)	Part-Discussed	..
(xiv)	Returned by Rajya Sabha without any recommendation	2
(xv)	Discussion postponed	..
(xvi)	Pending at the end of the Session	8
6.	*Private Members' Bills :*	
(i)	Pending at the commencement of the Session	22
(ii)	Introduced	7
(iii)	Laid on the Table as passed by Lok Sabha	..
(iv)	Returned by Lok Sabha with any amendment and laid on the Table	
(v)	Reported by Joint Committee	

(vi) Discussed 4

(vii) Withdrawn 3

(viii) Passed . . . .

(ix) Negatived . . . .

(x) Circulated for eliciting opinion ..

(xi) Part-disussed 1

(xii) Discussion postponed . . . .

(xiii) Motion for circulation of Bill negatived . .

(xiv) Referred to Select Committee . . . ..

(xv) Pending at the end of the Session 22

7. *Number of discussions held under rule* 176, (*Matters of urgent Public importance*)—

(i) Notices received . . . 39

(ii) Admitted 9

(iii) Discussion held 8

8. *Number of statements made under rule* 180. (*Calling-attention to matter of urgent public importance*).—

Statements made by Ministers 17

9. *Half-an-hour discussions held* 2

10. *Statutory Resolutions :*

(i) Notices received 2

(ii) Admitted 2

(iii) Moved 1

(iv) Adopted 1

(v) Negatived . . . .

(vi) Withdrawn . . . .

11. *Government Resolutions :*

(i) Notices received . . 1

(ii) Admitted 1

(iii) Moved 1

(iv) Adopted 1

12. *Private Members' Resolutions :*

(i) Received 12

(ii) Admitted 12

(iii)	Discussed	1
(iv)	Withdrawn	1
(v)	Negatived	..
(vi)	Adopted	..
(vii)	Part-discussed	1
(viii)	Discussion postponed	..

13. *Government Motions :*

(i)	Notices received	2
(ii)	Admitted	2
(iii)	Moved	2
(iv)	Adopted	2
(v)	Part-discussed	

14. *Private Members' Motions :*

(i)	Received	43
(ii)	Admitted	32
(iii)	Moved	
(iv)	Adopted	
(v)	Part-discussed	
(vi)	Negatived	
(vii)	Withdrawn	

15. *Motions regarding modification of Statutory Rules :*

(i)	Received	Nil
(ii)	Admitted	
(iii)	Moved	
(iv)	Adopted	
(v)	Negatived	
(vi)	Withdrawn	
(vii)	Part-discussed	

16. Number of Parliamentary Committees created, if any, during the session . . . . . Nil

17. Total number of Visitors' Passes issued 3362

18. Maximum number of Visitors' Passes issued on any single day, and date on which issued . . . . . 214; on 23rd December, 1977.

19. *Number of motions for papers under rule* 175

(i)	Brought before the House	Nil
(ii)	Admitted and discussed	

20. *Total number of Questions admitted :*

(i)	Starred	810
(ii)	Unstarred (including Starred Questions)	1440
(iii)	Short-Notice Questions	7

21. *Discussions on the working of the Ministries :* Nil

22. *Working of Parliamentary Committees :*

	Name of Committee	No. of meetings held during the period 1st Aug. to 31st Oct., 1977	No. of Reports presented during the Session.
(i)	Public Accounts Committee		59
(ii)	Committee on Public Undertakings		
(iii)	Business Advisory Committee	6	
(iv)	Committee on Subordinate Legislation	8	1
(v)	Committee on Petitions	9	2
(vi)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes		14
(vii)	Committee of Privileges		
(viii)	Committee on Rules		
(ix)	Joint Committee on Offices of Profit	..	
(x)	Committee on Government Assurances	9	
(xi)	General Purpose Committee		
(xii)	Railway Conventions Committee	..	1

23. Number of Members granted leave of absence 4

24. Petitions presented 1

25. *Number of new members sworn with dates* Nil

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF STATES LEGISLATURES DURING THE PERIOD JULY 1 TO SEPTEMBER 30, 1977

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
Andhra Pradesh L.A. . .	17-6-77 to 28-7-77	31	12(8)	4	120(149)(a)	5(71)(b)	206(39)
Bihar L. A.	27-6-77 to 28-7-77	26	2(a)		1225(1022)	1179(1010)	424(238)
Gujarat L.A.	..	..	..		574(287)	588(309)	49(8)
Haryana L.A. .	4-7-77 to 6-7-77	4	(4)4)	..	61(55)	23(20)	..
Jammu & Kashmir L. A.	8-9-77 to 15-10-77	24	13(7)	11(1)	699(624)	367(317)	12(11)
Karnataka L. C.	4-7-77 to 22-7-77	17	(11)				8(3)
Karnataka L.A. . .	1-7-77 to 21-7-77	13	4(9)	--	79(74)	--	..
Kerala L.A. .	4-7-77 to 10-8-77	27	16(13)		5168 (c) (1635)	(2768)	19(4)
Madhya Pradesh L.A.	14-7-77 to 26-8-77	25	9(9)		1291(851)	702(502)	48(7)
Punjab L.A. . .	30-6-77 to 8-7-77	6(d)	6(6)		183(66)	74(48)	3(1)
Rajasthan L.A. .	18-7-77 to 30-7-77 and 6-9-77 to 30-9-77	30	10(10)	1	2586(774)	169(95)	8(1)

Sikkim L.A.	23-9-77	1			..	..	..
Tamil Nadu L. C.	7-7-77 to 29-8-77	24	(12)		374(285)	(5)5	10(8)
Tamil Nadu L.A.	4-7-77 to 15-7-77 & 23-7-77 to 29-8-77	38	11(11)		2630(997)	228(228)	81(12)
Tripura L.A.	..	..			..	..	..
Uttar Pradesh L.C. .	12-7-77 to 28-7-77 & 26-8-77 to 1-11-77	37	5(5)		1478(1163)	125(99)	114(46)
Uttar Pradesh L.A. .	12-7-77 to 23-7-77 & 26-8-77 to 1-11-77	41	19(16)	2	2890(1782) (e)	71(61)	1880(1439)(f)
Union Territories							
Arunachal Pradesh L. A.	17-8-77 to 19-8-77	3	1(12)		49(49)	6(6)	
Delhi Metropolitan Council .	5-8-77 to 14-9-77	17	2(1)		200(200)	1038(893)	24(5)
Pondicherry L.A. . .	13-7-77 to 26-8-77	21	7(7)	..	548(490)	124(105)	7(6)

APPENDIX—III—(*contd.*)

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED.

	Business Advisory Committee	Committee on Government Assurances	Committee on Petitions	Committee on Private Members' Bills and Resolutions	Committee on Privateges	Committee on Public undertakings	Committee on Subordinate Legislation	Committee on the Welfare of SC and ST.	Estimates Committee	General Purposes Committee	House/Accommodation Committee	Library Committee	Public Accounts Committee	Rules Committee	Joint/Select Committees	Other Committees
	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Andhra Pradesh L.A. . .	4(4)	7	2(9)		1	8	6		12			8(1)	16(2)	3(1)		6(g)
Assam L.A. .	..	8	7		3	10	2		20		1	4	20		..	..
Bihar L.A.	1(1)	13	8		3	9	4		12		3	3	3(3)	4		
Gujarat L.A.		6			1	4			5				9			

Haryana LA	..	..	..	..	..	..	..	..	..	..	(1)	..	(1)	..	8	..	(1)	..	..	..
Himachal Pradesh LA	–		8	2		2	22	25	10	9		5	2	14	..	..	..
Jammu & Kashmir LA		2					(3)	(1)		(5)				(2)	..	2(2)	..
Karnataka LC	.	2(2)	5(1)			1								..	..		
Karnataka LA			8	1		2	9	5	9(1)	9		1		10(2)	..	..	
Kerala LA		3(3)	7	6	4(4)		8(2)	7(1)		9(1)			3	26(2)	..	..	(4)(i)
Madhya Pradesh LA	.	5(5)			4(4)	1	1	(1)	1	1(1)				2(3)			..
Manipur LA		..					1	2		7				20		..	..
Meghalaya LA			1					4		6		2		10	2		
Punjab LA		1(1)	10	1			7	10		5		2	5	11		..	
Rajasthan LA	.	2(2)	2(1)										..		..	..	..
Tamil Nadu LA		7	1				5			3		2		5	..	..	4(j)
Tamil Nadu LC		5	1(1)												..		..
Uttar Pradesh LC		10	20(4)	2		4		..				2			..		1(k)
Uttar Pradesh LA		11		(2)						(3)*				(1)*	..	..	
Union Territories																	
Arunachal Pradesh LA		..			..		..			1				2	..	1(l)	1
Delhi Metropolitan Council	.	2(2)	..	..	1(1)	..	..	..	..	..	..	..	..	..	..	..	..

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Goa, Daman and Diu LA .	..	2	1				1		3			1	1	..		
Pondicherry LA	1(1)	1	1	..	..	..	3	..	15	..	..	2	15	2(1)	..	..

NOTES : (i) Figures in Cols. 4 & 5 indicate the number of Bills introduced followed by the number of Bills passed in brackets.

(ii) Figures in Cols. 6, 7 & 8 indicate the number of notices received followed by the number of notices admitted in brackets.

(a) Includes 102 Short Notice Questions admitted as ordinary Starred Questions.

(b) Includes 60 starred notices and 10 Short Notice Questions admitted as Unstarred Questions.

(c) The number includes notices received for Starred and Unstarred Questions.

(d) Excluding the one when the Governor addressed the Punjab Vidhan Sabha.

(e) Includes 634 Questions admitted as Unstarred.

(f) Includes 1008 Short Notice Questions admitted as Starred and 376 as Unstarred.

(g) Represents Amenities Committee.

(h) Represents (i) Select Committee on the Jammu and Kashmir Arbitration (Amendment) Bill, 1977—1(1) ; and Select Committee on the Code of Civil Procedure (Amendment) Bill, 1977—1 (1).

(i) Represents Select Committee on the Kerala Public Libraries Bill, 1977—1; Select Committee on the Kerala Highways Bill, 1977—1 ; and Select Committee on the Kerala Headload Workers Bill, 1977—2 ;

(j) Represents Committee on Delegated Legislation.

(k) Represents Committee on Compilation of Ruling.

(l) Represents report of the Select Committee on the Arunachal Pradesh Legislature Members (Removal of Disqualifications) Bill, 1976.

(*) Represents reports of the last Assembly.

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD 1ST AUGUST, 1977 TO 31ST OCTOBER, 1977.

S. No.	Title of the Bill	Date of assent by the President
1	The Insecticides (Amendment) Bill, 1977	2-8-1977
2	The Nagaland Appropriation (No. 2) Bill	2-8-1977
3	The Cardamom (Amendment) Bill, 1977	2-8-1977
*4	The Motor Vehicles (Amendment) Bill 1977	3-8-1977
5	The Appropriation (No. 3) Bill, 1977	6-8-1977
6	The Finance (No. 2) Bill, 1977	8-8-1977
7	The National Highways (Amendment) Bill, 1977	12-8-1977
8	The Petroleum (Amendment) Bill, 1977	12-8-1977
9	The Tea (Amendment) Bill, 1977	12-8-1977
10	The Salary and Allowances of Leaders of Opposition in Parliament Bill, 1977.	18-8-1977

*The Bill was introduced in Rajya Sabha as "The Motor Vehicles (Second Amendment Bill, 1976". The Short Title of the Bill was changed by Rajya Sabha through an amendment to clause 1.

APPENDIX

Bills Passed by the State Legislature during the period July 1 to September 30, 1977

Andhra Pradesh Legislative Assembly

1. The Andhra Pradesh Commercial Crops (Special Assessment) Repeal Bill, 1977.
2. The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Amendment) Bill, 1977.
3. The Andhra Pradesh Revenue Recovery (Amendment) Bill, 1977.
4. The Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zilla Parishads (Amendment) Second Amending Bill, 1977.
5. The Andhra Pradesh Gram Panchayats (Amendment) Bill, 1977.
6. The Andhra Pradesh (Agricultural Produce Live stock) Markets (Amendment) Bill, 1977.
7. The Andhra Pradesh Appropriation (No. 2) Bill, 1977.
*8. The Andhra Pradesh Agricultural—Pests and Diseases (Amendment) Bill, 1976.

Haryana Vidhan Sabha

1. The Birendra Narayana Chakravarty University Kurukshetra (Amendment) Bill, 1977.
2. The Rohtak University (Second Amendment) Bill, 1977.
3. The Haryana Canal and Drainage (Amendment) Bill, 1977.
4. The Haryana Legislative Assembly (Allowances and Pension of Members) Second Amendment Bill, 1977.

Jammu & Kashmir Legislative Assembly

1. The Jammu & Kashmir Arbitration (Amendment) Bill, 1977.
2. The Code of Civil Procedure (Amendment) Bill, 1977.
3. The Jammu and Kashmir Development (Amendment) Bill, 1977.
4. The Jammu & Kashmir Appropriation Bill, 1977.
5. The Jammu & Kashmir Universities (Amendment) Bill.
6. The Jammu & Kashmir requisitioning and Acquisition of immovable Property (Amendment) Bill, 1977.
7. The Notaries (Amendment) Bill, 1977.

Karnataka Legislative Assembly

1. Karnataka Urban Water Supply & Drainage Board (Amendment) Bill, 1977.
2. Karnataka State Universities (Second Amendment) Bill, 1977.

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*Bill awaiting Assent.

3. Karnataka Preservation of Trees (Amendment) Bill, 1977.
4. Karnataka Secondary Education Board (Amendment) Bill, 1977.
5. Karnataka Relief Undertakings (Special Provisions) Bill, 1977.
6. Karnataka State Servants (Determination of age) (Amendment) Bill, 1977.
7. Karnataka Appropriation (No.2) Bill, 1977.
8. Karnataka Land Reforms (Second Amendment) Bill, 1977.
9. Karnataka Certain Inams Abolition Bill, 1977.

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Sales Tax (Amendment) Bill, 1977.
2. The Karnataka Entertainments tax (Amendment) Bill, 1977.
3. The Karnataka Appropriation (No. 2) Bill, 1977.
4. The Karnataka State Universities (Second Amendment) Bill, 1977.
5. The Karnataka Relief Undertakings (Special Provisions) Bill, 1977.
6. The Karnataka Preservation of Trees (Amendment) Bill, 1977.
7. The Karnataka Urban Water Supply and Drainage Board (Amendment) Bill, 1977.
8. The Karnataka Secondary Education Examination Board (Amendment) Bill, 1977.
9. The Karnataka State Servants (Determination of Age) (Amendment) Bill, 1977.
10. The Karnataka Certain Inams Abolition Bill, 1977.
11. The Karnataka Land Reforms (Second Amendment) Bill, 1977.

KERALA LEGISLATIVE ASSEMBLY

1. The Sree Pandarvaka Lands (Vesting and Enfranchisement) Amendment) Bill, 1977.
2. The Kerala Appropriation (No.2) Bill, 1977.
3. The Kerala Appropriation (No. 3) Bill, 1977.
4. The Calicut University (Amendment) Bill, 1977.
5. The Kerala Debt Relief Bill, 1977.
6. The Kerala Land Development Corporation Limited (Special Powers) Amendment Bill, 1977.
7. The Kerala Grandha Sala Sangham (Taking over of Management) Bill, 1977.
8. The Engineering Technicians Co-operative Societies (Acquisition and Transfer of Undertakings) Bill, 1977.
9. The Kerala Tax on Employment (Amendment) Bill, 1977.
10. The University Laws (Amendment) Bill, 1977.
11. The Kerala Electricity Duty (Amendment) Bill, 1977.
12. The Payment of Salaries and Allowances (Amendment) Bill, 1977.

*13. The Kerala Casual Temporary and Badli Workers (Wages) Bill, 1977.

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh Nirashriton Avam Nirdhan Vyaktiyon ki Sahayata (Sanshodhan) Vidheyak, 1977.
2. The Madhya Pradesh Gramin Vikas Kar (Nirsan) Vidheyak, 1977.
3. The Madhya Pradesh Krishi Upaj Mandi (Sanshodhan) Vidheyak, 1977.
4. The Madhya Pradesh Appropriation (Vote on Account) (No. 2) Bill, 1977.
5. The Madhya Pradesh Nagar Palik Nigam (Sanshodhan Tatha Vidhi Manyantra Karan) Vidheyak, 1977.
6. The Madhya Pradesh Panchayat (Sanshodhan) Vidheyak, 1977.
7. The Madhya Pradesh Appropriation (No. 3) Bill, 1977.
8. The Madhya Pradesh Sthaniya Kshetra Me Mal Pravesh Par Kar (Sanshodhan) Vidheyak, 1977.
9. The Madhya Pradesh Samanya Vikraya Kar (Sanshodhan) Vidheyak, 1977.

PUNJAB VIDHAN SABHA

1. The Punjab Municipal (Amendment) Bill, 1977.
2. The Punjab Agricultural Produce Markets (Amendment) Bill, 1977.
3. The Punjab Panchayat Samitis and Zila Parishads (Second Amendment) Bill, 1977.
4. The Punjab Gram Panchayat (Amendment) Bill, 1977.

*5. The Punjab Cooperative Societies (Amendment) Bill, 1977.

*6. The Punjab Cooperative Land Mortgage Banks and Punjab Land Improvement Schemes (Amendment) Bill, 1977.

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Code of Criminal Procedure (Rajasthan Amendment) Bill, 1977.
2. The Rajasthan Panchayat Samitis and Zila Parishads (Termination Term) Bill, 1977.
3. The Rajasthan Municipalities (Amendment) Bill, 1977.
4. The Jodhpur University (Amendment) Bill, 1977.
5. The Udaipur University (Amendment) Bill, 1977.
6. The University of Rajasthan (Amendment) Bill, 1977.
7. The Rajasthan Universities' Teachers and Officers (special conditions of service) (Amendment) Bill, 1977.
8. The Rajasthan Finance Bill, 1977.
9. The Rajasthan Finance (No. 2) Bill, 1977.
10. The Rajasthan Appropriation (No. 2) Bill, 1977.

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*Bills waiting Assent.

†Awaiting Assent

TAMIL NADU LEGISLATIVE ASSEMBLY

1. The Tamil Nadu Municipal Councils (Appointment of Special Officers) Amendment Bill, 1977.
2. The Coimbatore Municipal Council (Appointment of Special Officers) Amendment Bill, 1977.
3. The Tamil Nadu Panchayats (Extension of term of Office) Bill, 1977.
4. The Tamil Nadu Entertainments Tax (Amendment) Bill, 1977.
5. The Tamil Nadu Public Men (Criminal Misconduct) Repeal Bill, 1977.
6. The Tamil Nadu General Sales Tax (Amendment) Bill, 1977.
7. The Tamil Nadu Appropriation (No. 2) Bill, 1977.
8. *The Tamil Nadu Additional Assessment, Additional Water Cess, Special Assessment and Special Water Cess (Amendment) Bill, 1977.
9. The Madras University (Amendment) Bill, 1977.
10. *The Madurai University (Amendment) Bill, 1977.
11. The Tamil Nadu Panchayats Amendment and Validation Bill, 1977.

TAMIL NADU LEGISLATIVE COUNCIL

1. Tamil Nadu Debt Relief Laws (Second Amendment) Bill, 1977.
2. The Tamil Nadu Municipal Councils (Appointment of Special Officers) Amendment Bill, 1977.
3. The Coimbatore Municipal Council (Appointment of Special Officer) Amendment Bill, 1977.
4. The Tamil Nadu Panchayats (Extension of Terms of Office) Amendment Bill, 1977.
5. The Tamil Nadu Appropriation (No. 2) Bill, 1977.
6. The Tamil Nadu Public Men (Criminal Misconduct) Repeal Bill, 1977.
7. The Tamil Nadu Entertainments Tax (Amendment) Bill, 1977.
8. The Madras University (Amendment) Bill, 1977.
9. *The Madurai University (Amendment) Bill, 1977.
10. The Tamil Nadu General Sales Tax (Amendment) Bill, 1977.
11. *The Tamil Nadu Additional Assessment, Additional Water Cess, Special Assessment and Special Water Cess (Amendment) Bill, 1977.
12. The Tamil Nadu Panchayats (Amendment and Validation) Bill, 1977.

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The U.P. Debt Relief Bill, 1977.
2. The Uttar Pradesh State Legislature Proceedings (Protection of Publication) Bill, 1977.
3. The U.P. Land Laws (Amendment) Bill, 1977.

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*Bills awaiting Assent.

4. The U.P. Cinemas (Regulation) (Amendment) Bill, 1977.
5. The U.P. Krishi Utpadan Mandi (Amendment) Bill, 1977.
6. The U.P. Education Laws (Amendment) Bill, 1977.
7. The U.P. Urban Local Self Government Laws (Amendment) Bill, 1977.
8. The U. P. Appropriation (Second Amendment) Bill, 1977.
9. The U.P. Municipality Notified Area and Town Area (Alpakalik Vyavastha) Bill, 1977.
10. The U.P. Homoeopathic Medicine (Amendment) Bill, 1977.
11. The U.P. District Board (Alpakalik Vyavastha) Bill, 1977.
12. The U. P. Nagar Mahapalika (Amendment) Bill, 1977.
13. The U. P. Co-operative Society (Amendment) Bill, 1977.
14. Criminal Procedure Code (U.P. Amendment) Bill, 1977.
15. The U.P. Excise (Amendment) Bill, 1977.
16. The U.P. Appropriation Bill, 1977.

UTTAR PRADESH LEGISLATIVE COUNCIL

1. The Uttar Pradesh Chalchitra Viniyaman Sanshodhan Vidheyak, 1977.
2. The Uttar Pradesh Nagar Swayatt Shasan Vidhi Sanshodhan Vidheyak, 1977.
3. The Uttar Pradesh Krishi Utpadan Mandi, Sanshodhan Vidheyak, 1977.
4. The Uttar Pradesh Shiksha Vidhi Sanshodhan Vidheyak, 1977.
5. The Uttar Pradesh Rajya Vidhan Mandal ki Karyavahiyan Praiashan ka sanraskhan, Vidheyak, 1977.
6. The Uttar Pradesh Rin Anutosh Vidheyak, 1977.
7. The Uttar Pradesh Bhumi Vidhi, Sanshodhan, Vidheyak, 1977.
8. The Uttar Pradesh Viniyog, Dwitiya Lekhanudan, Vidheyak, 1977.
9. The Uttar Pradesh Nagar Maha Palika, Sanshodhan, Vidheyak, 1977.
*10. The Dand Prakriya Samhita, Uttar Pradesh Sanshodhan, Vidheyak, 1977.
11. The Uttar Pradesh Municipality, notified Area and Town Area, Alpakalik Vyavastha Vidheyak, 1977.
*12. The Uttar Pradesh Audyogik Jhagda, Sanshodhan, Vidheyak, 1977.
13. The Uttar Pradesh Zilla Parishad, Alpakalik Vyavastha Vidheyak, 1977.
14. The Uttar Pradesh Homoeopathic Medicine, Sanshodhan, Vidheyak, 1977.
15. The Uttar Pradesh Sahkari Samiti, Sanshodhan, Vidheyak, 1977.
16. The Uttar Pradesh Viniyog Vidheyak, 1977.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Arunachal Pradesh Legislature members (Prevention of Disqualifications) Bill, 1977.
2. The Arunachal Pradesh Appropriation (No. 3) Bill, 1977.

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*Bills awaiting Assent.

METROPOLITON COUNCIL, DELHI

1. The Public Wakf (Extension of limitations) (Delhi Amendment) Bill, 1977.

PONDICHERRY LEGISLATIVE ASSEMBLY

1. The Pondicherry Buildings (Lease and Rent Control) Amendment Bill, 1977.
2. The Pondicherry Municipalities and Village Commune Panchayats (Amendment) Bill, 1977.
3. The Pondicherry Motor Vehicles Taxation (Amendment) Bill, 1977.
4. The Pondicherry General Sales Tax (Amendment) Bill, 1977.
5. The Appropriation (No. II) Bill, 1977.
6. The Appropriation (No. III) Bill, 1977.
7. The Appropriation (No. IV) Bill, 1977.

APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL GOVERNMENT DURING THE PERIOD 1ST AUGUST, 1977 TO 31ST OCTOBER, 1977 AND THE STATE GOVERNMENTS DURING THE PERIOD 1ST JULY, 1977 TO 30TH SEPTEMBER, 1977

Serial No.	Title of Ordinance	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
	CENTRAL GOVERNMENT				
1.	The Payment of Bonus (Amendment) Ordinance, 1977.	3-9-1977	14-11-1977	..	Replaced by legislation.
2.	The Banking Service Commission (Repeal) Ordinance, 1977.	19-9-1977	14-11-1977	26-12-1977	The Bill seeking to replace the Ordinance was passed by Lok Sabha on 5-12-1977 but it was not agreed to by Rajya Sabha on 8-12-1977. The Ordinance lapsed at the expiration of the period of six weeks mentioned in Clause (2)(a) of article 123 of the Costitution.
3.	The Enemy Property (Amendment) Ordinance, 1977.	23-9-1977	14-11-1977		Replaced by legislation.
4.	The Requisitioning and Acquisition of Immovable Property (Amendment) Ordinance, 1977.	23-9-1977	14-11-1977		Do.
5.	The Smith, Stenistreet and Company Limited (Acquisition and Transfer for Undertakings) Ordinance, 1977.	30-1-1977	14-11-1977		Do.

6.	The Gresham and Craven of India (Private) Limited (Acquisition and Transfer of Undertakings) Ordinance, 1977.	30-9-1977	14-11-1977		Do.
7.	The Indian Iron and Steel Company (Acquisition of Shares) Amendment Ordinance, 1977.	13-10-1977	14-11-1977	..	Do.
8.	The Advocates (Amendment) Ordinance, 1977.	31-10-1977	14-11-1977		Do.

STATE GOVERNMENTS

Andhra Pradesh

1.	The Andhra Pradesh Municipalities, (Amendment) Ordinance, 1977.	21-9-1977	23-12-1977		Replaced by legislation.
2.	The Hyderabad Municipal Corporations (Amendment) Amending Ordinance, 1977.	Do.	Do.		Do.
3.	The Andhra Pradesh Urban Areas (Surcharge on Property Tax) Repeal Ordinance, 1977.	Do.	Do.		Do.
4.	The Hyderabad Water Supply (Amendment) Ordinance 1977.	Do.	Do.		Do.
5.	The Andhra Pradesh (Mineral Rights) Tax (Amendment) Ordinance, 1977.	24-9-1977	Do.		Do.

Bihar*

1.	The Bihar Irrigation Law (Third Amendment) Ordinance, 1977.	19-7-1977	28-7-1977	8-9-1977
2.	The Bihar Irrigation Field Channel (Third Amendment) Ordinance, 1977.	Do.	Do.	Do.

*Date of Promulgation of Ordinance means date of Publication in Gazette.

1	2	3	4	5	6
3.	The Bihar Irrigation Development (Land Acquisition) Third Ordinance, 1977.	21-7-1977	28-7-1977	8-9-1977	
4.	The Rajendra Agriculture University (Third Amendment) Ordinance, 1977.	19-7-1977	Do.	Do.	
5.	Essential Commodities (Bihar Third Amendment) Ordinance, 1977.	21-7-1977	Do.	Do.	
6.	The Bihar Premises and Motor (Acquisition) Third Ordinance, 1977.	Do.	Do.	Do.	..
7.	The Bihar Weights & Measure (Enforcement) (Third Amendment) Ordinance, 1977.	19-7-1977	Do.	Do.	
8.	The Bihar Agriculture Production Market (Third Amendment) Ordinance, 1977.	Do.	Do.	Do.	..
9.	The Bihar Land and Water Protection and Land development Third Ordinance, 1977.	Do.	Do.	Do.	..
10.	The Bihar Sugarcane (Supply and Purchase Regulation) Third Ordinance, 1977.	21-7-1977	Do.	Do.	
11.	The Bihar (Carried by Public Service Motor Vehicle) Taxation on Passenger and goods (third Amendment) Ordinance, 1977.	Do.	Do.	Do.	
12.	The Chhotanagpur and Santhal Pargana Development Authority (Third Amendment) Ordinance, 1977.	19-7-1977	Do.	Do.	..

13.	The Bihar Molasses (Control) (Third Amendment) Ordinance, 1977.	21-7-1977	Do.	Do.	..
14.	The Bihar Aid to Industries (Third Amendment) Ordinance, 1977.	19-7-1977	Do.	Do.	..
15.	The Motor Vehicle (Bihar Fifth Amendment) Ordinance, 1977.	Do.	Do.	Do.	..
16.	The Bihar Hindu Religious Trust (Third Amendment) Ordinance, 1977.	Do.	Do.	Do.	..
17	The Motor Vehicle (Bihar Sixth Amendment) Ordinance, 1977	21-7-1977	Do.	Do.	
18	The Bihar Khadi & Village Industries (Third Amendment) Ordinance, 1977.	19-7-1977	Do.	Do.	..
19	The Bihar Motor Vehicle Taxation (Third Amendment) Ordinance, 1977.	19-7-1977	Do.	Do.	
20	The Bihar Forest Production Market (Trade Regulation) Second Ordinance, 1977.	1-6-1977	Do.	Do.	..
21	The Bihar Medical Educational Institution (Regulation & Control) Third Ordinance, 1977.	19-7-1977	Do.	Do.	..
22	The Patna Corporation (Third Amendment) Ordinance 1977.	19-7-1977	Do.	Do.	..
23	The Bihar Municipality and Patna Corporation (Third Amendment) Ordinance, 1977.	Do.	Do.	Do.	
24	The Bihar Health Cess Third Ordinance, 1977	Do.	Do.	Do.	..
25	The Bihar Agriculture Operations and Miscellaneous Provisions (Banks) Third Ordinance, 1977.	Do.	Do.	Do.	

1	2	3	4	5	6
26	The Court Fee (Bihar Third Amendment) Ordinance, 1977.	29-4-77	28-7-77	8-9-77	
27	The Jhariya Water Supply (Third Amendment) Ordinance, 1977.	19-7-77	Do.	Do.	
28	The Biha State University (Second Amendment) Ordinance, 1977.	Do.	Do.	Do.	..
29	The Bihar Non-Government Medical College (Management Taking Over) Third Ordinance, 1977.	21-7-77	Do.	Do.	
30	The Bihar Panchayat Samiti and Zila Parishad (Third Amendment) Ordinance, 1977.	19-7-77	Do.	Do.	
31	The Bihar Inter-University Board Fourth Ordinance, 1977	Do.	Do.	Do.	
32	The Bihar State Housing Board Third Ordinance, 1977.	21-7-77	Do.	Do.	
33	The Bihar Electric Supply undertakings (Acquisition) Third Ordinance, 1977.	Do.	Do.	Do.	..
34	The Bihar Panchayat Raj (Third Amendment & Validation) Ordinance, 1977.	19-7-77	Do.	Do.	
35	The Patna University (Second Amendment) Ordinance, 1977.	Do.	Do.	Do.	
36	The Bihar District Board & Local Board (Control & Management) (Second Amendment) Ordinance, 1977.	28-5-77	Do.	Do.	

37	The Indian Stamp (Bihar Third Amendment) Ordinance, 1977.	19-7-77	Do.	Do.	..
38	The Bihar Corporation Third Ordinance, 1977.	Do.	Do.	Do.	..
39	The Bihar Land Reform (Fixation of Ceiling Area & Acquisition of Surplus land) (Amendment) Ordinance, 1977.	21-7-77	Do.	Do.	
40	The Bengal Ferries (Third Amendment) Ordinance, 1977	19-7-77	Do.	Do.	
41	The Bihar Farmer & Village Area Development Agency Third Ordinance, 1977.	21-7-77	Do.	Do.	
42	The Bihar Cycle-Rickshaw (License-Regulation) Third Ordinance, 1977.	21-7-77	Do.	Do.	
43	The Bihar Panchayat Samiti and Zila Parishad (Third Amendment and Validation) Ordinance, 1977.	19-7-77	Do.	Do.	
44	The Bihar Public land Encroachment (Third Amendment) Ordinance, 1977.	Do.	Do.	Do.	
45	The Bihar Cess (Third Amendment) Ordinance, 1977.	Do.	Do.	Do.	
46	The Bihar Gramdan (Third Amendment) Ordinance, 1977.	21-7-77	Do.	Do.	
47	The Bihar Co-operative Society (Fifth Amendment) Ordinance, 1977.	Do.	Do.	Do.	
48	The Bihar Municipality (Fourth Amendment) Ordinance, 1977.	19-7-77	Do.	Do.	
49	The Bihar Kolhan Civil Justice (Increase of Pecuniary Jurisdiction) Ordinance, 1977.	Do.	Do.	Do.	

1	2	3	4	5	6
50	The Bihar Regional Development Authority Third Ordinance, 1977.	21-7-77	28-7-77	8-9-77	..
51	The Bihar Sales Tax Third Ordinance, 1977..	Do.	Do.	Do.	
		GUJARAT			
1	The Bombay Provincial Municipal Corporations (Guj. Amendment) Ordinance, 1977.	20-9-77			
2	The Gujarat Affiliated Colleges Services Tribunal Ordinance, 1977.	23-9-77			
3	The Dhrangadhra Municipality (Imposition of Taxes) (Validation) Ordinance, 1977.	26-9-77			
		HARYANA			
1	The Birendra Narayan Chakravarty University Kurukshetra (Amendment) Ordinance, 1977.	7-4-77	5-7-77		Replaced by legislation.
2	The Punjab Gram Panchayat (Haryana Second Amendment) Ordinance, 1977.	Do.	Do.	16-8-77	
3	The Haryana Urban (Control of Rent and Eviction) Amendment Ordinance, 1977.	27-4-77	Do.	Do.	
4	The Punjab Urban Immovable Property Tax (Haryana Amending and Repealing) Ordinance, 1977	28-4-77	Do.	Do.	

HIMACHAL PRADESH				
1. The Public Wakfs (Extension of Limitation) (Himachal Pradesh Amendment) Ordinance, 1977.	27-9-77	Not yet	Not yet	
2. The Himachal Pradesh Abolition of Land Revenue on Uneconomic Holdings Ordinance, 1977.	19-10-77	Do.	Do.	..
3. The Himachal Pradesh Bhoodan Yagna Ordinance, 1977.	19-10-77	Do.	Do.	
4. The Himachal Pradesh Passengers and Goods Taxation (Amendment) Ordinance, 1977.	14-11-177	Do.	Do.	
KARNATAKA				
1. Karnataka Co-operative Societies (Amendment) Ordinance, 1977.	7-9-77			
2. Karnataka Societies' Registration (Amendment) Ordinance, 1977.	29-9-77			
MADHYA PRADESH				
1. The Madhya Pradesh Nirashrit on Avam Nirdhan Vyaktijan Ke Sahayata (Sanshodhan) Adhyadesh, 1977.	14-4-77	20-7-77	..	The Madhya Pradesh Nirashrit on Avam Nirdhan Vyaktijan ki Sahayata (Sanshodhan) Vidheyak, 1977 (No. 12 of 1977).
2. The Madhya Pradesh Krishi Upaj Mandi (Sanshodhan) Adhyadesh, 1977.	25-4-77	20-7-77	..	
3. The Madhya Pradesh Gramin Vikashkar (Nirsan) Adhyadesh, 1977.	26-4-77	20-7-77	..	The Madhya Pradesh Gramin Vikas Kar (Nirsan) Vidheyak, 1977 (No. 13 of 1977).
4. The Madhya Pradesh Krishi Upaj Mandi (Second Amendment) Adhyadesh, 1977.	31-5-77	20-7-77	..	The Madhya Pradesh Krishi Upaj Mandi (Second Amendment) Vidheyak, 1977 (No. 14 of 1977).

1	2	3	4	5	6
		PUNJAB			
1.	The Punjab General Sales Tax (Amendment) Ordinance, 1977.	26-4-77	5-7-77	11-8-77	Not replaced. Ceased to operate at the expiration of six weeks from the re-assembly of the Vidhan Sabha.
2.	The Punjab Municipal (Amendment) Ordinance, 1977.	11-5-77	5-7-77	..	Replaced by legislation.
3.	The Punjab Agricultural Produce Markets (Amendment) Ordinance, 1977.	13-5-77	5-7-77		Do.
4.	The Punjab Panchayat Samitis and Zila Parishads (Amendment) Ordinance, 1977.	10-6-77	5-7-77	..	Do.
5.	The Punjab General Sales Tas (Amendment) and Validation) Ordinance, 1977.	30-8-77		..	
		TAMIL NADU			
1.	The Tamil Nadu Municipal Councils (Appointment of Special Officers) Amendment Ordinance, 1977.	30-6-77	2-7-77	23-7-77	Replaced by legislation.
2.	The Coimbatore Municipal Council (Appointment of Special Officer) Amendment Ordinance, 1977.	Do.	Do.	Do.	Replaced by legislation.
		UTTAR PRADESH			
1.	The U.P. Education Laws Amendment Ordinance, 1977 .	21-4-77	12-7-77	..	..
2.	The U.P. Urban Local Self Government Laws (Amendment) Ordinance, 1977.	27-4-77	12-7-77		..
3.	The U.P. Krishi Utpadan Mandi (Amendment) Ordinance, 1977.	21-4-77	Do.	..	..

4.	The U.P. Cinema (Regulation) (Amendment) Ordinance, 1977.	24-4-77	Do.	..	.
5.	The U.P. Zamindari Abolition and Land Reforms (Third Amendment) Ordinance, 1977.	27-4-77	Do.	..	
6.	The U.P. Debt Relief (Second) Ordinance, 1977 .	5-5-77	Do.	..	..
7.	The U.P. Land Laws (Amendment) Ordinance, 1977 .	28-4-77	Do.		
8.	The U.P. Homeopathic Medicine (Amendment) Ordinance, 1977.	8-8-77	26-8-77		
9.	The U.P. Zila Parishad (Alpakalik Vyavastha) Ordinance, 1977.	10-8-77	Do.		..
10.	The U.P. Municipality Notified Area and Town Area (Alpakalik Vyavastha) Ordinance, 1977.	10-8-77	Do.		..

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APPENDIX VII

A. Party Position in Lok Sabha

(As on January 30, 1978)

Name of State/Union Territory	Seats	Janata	Cong.	CPI(M)	AIADMK	Other Parties	Unattached	Total	Vacancies
Andhra Pradesh	42	..	39	..	..	..	1	40	2
Assam	14	3	10	..	..	..	1	14	
Bihar	54	51	..	..	..	..	2	53	1
Gujarat	26	15	10	..	..	..	1	26	
Haryana	10	9	..	..	..	..	..	9	1
Himachal Pradesh	4	4	..	..	..	..	..	4	
Jammu & Kashmir	6	..	3	..	..	2(a)	1	6	
Karnataka	28	1	26	..	..	..	..	27*	
Kerala	20	..	11	..	..	9(b)	..	20	
Madhya Pradesh	40	37	1	..	..	1(c)	1	40	
Maharashtra	48	17	19	3	..	7(d)	2	48	
Manipur	2	..	1	..	..	..	..	1	1
Meghalaya	2	..	1	..	..	..	1	2	
Nagaland	1	1	..	..	..	..	..	1	
Orissa	21	15	4	1	..	..	1	21	
Punjab	13	3	..	1	..	9(e)	..	13	
Rajasthan	25	24	1	..	..	..	..	25	
Sikkim	1	1	..	..	..	..	..	1	
Tamil Nadu	39	3	14	..	18	3(f)	1	39	
Tripura	2	1	1	..	..	..	..	2	
Uttar Pradesh	85	84	..	..	..	..	..	84	1
West Bengal	42	16	3	17	..	6(g)	..	42	

Union Territories

Andaman & Nicobar	1	—	1	..	..	..	..	1		
Arunachal Pradesh	2	2	..	..	..	..	..	2		
Chandigarh	1	1	..	..	..	..	..	1		
Dadra & Nagar Haveli	1	..	..	..	..	..	1	1		
Delhi	7	7	..	..	..	..	..	7		
Goa, Daman & Diu	2	..	1	..	..	..	1	2		
Lakshsdweep	1	..	1	..	..	..	..	1		
Mizoram	1	..	..	..	..	..	1	..		
Pondicherry	1	..	..	..	1	..	..	1		
Anglo-Indian	2	1	..	..	..	..	1	2		
TOTAL	544	296	147	22	19	37	16	537*	6	

*Excluding the Speaker.

(a) National Conference—2.

(b) CPI—4, Kerala Congress—2, Muslim League—2, RSP—1.

(c) RPI (Khobargade)—1

(d) Peasant & Workers Party—6, RPI (Khobargade)—1.

(e) Akali Dal—9

(f) C.P.I. —3.

(g) R.S.P.—3, F.B.—3.

Party Position in the Rajya Sabha

(As on January 1, 1978)

State/Union Territories	Total No. of Seats	Cong.	CPI	Janata	AIA DMK	CPI (M)	ML	DMK	BKD	Jharkhand	PWP	RFP	KML	IND.	NOM.	Vacancies
Andhra Pradesh	18	11	..	7	..	..	..	..	..	..	..	..	..	..	..	..
Assam	7	7	..	..						..	..		..	..	..	
Bihar	22	15	3	2						1			..	1	..	
Gujarat	11	5		6										..	..	
Haryana	5	2		2										1	..	
Himachal Pradesh	3	3		..			..				..					
Jammu & Kashmir	4	3		1		..							..	..	..	..
Karnataka	12	9	..	1		..	..						..	2		
Kerala	9	3	1			3	1						1			..
Madhya Pradesh	16	14		1		..					..	..		..		1
Maharashtra	19	16									1	1		1	..	
Manipur	1	1												..	..	..
Meghalaya	1	1	..				..					..				..
Nagaland	1	..	..	1			..				..				..	
Orissa	10	5	1	4							..	..			..	..
Punjab	7	6	1				..				..		..		..	..

Rajasthan	10	9	..	1			..			..			..				..	..
Sikkim	1	..		1	..	..	..	..		..					..			
Tamil Nadu	18	1	..	..	9	1	2	3		..				2		..
Tripura	1	..	1	..	..		..		..			..			..	..
Uttar Pradesh	34	18	1	13		..			1		..					1
West Bengal	16	11	3	..		1				..				..	..	
Arunachal Pradesh	1	..	..	1										1	..	
Delhi	3	3		..	..											
Mizoram	1	1														
Pondicherry	1	..			1						..		..		..	
Nominated	12	5	..	..	..	..	..	..	..	..	..	..	..	..	7	..
Total	244	149	11	41	10	5	3	3	1	1	1	1	1	8	7	2

C. Party Position in State Legislatures

State/Union Territory	Seats	Janata	Cong.	CPI(M)	CPI	AIA DMK	Akali	Other Parties	Ind.	Total	Vacancies
Andhra Pradesh LA (As on 30-9-77) . .	288	33	232	1	8			2(a)	3	279	9
Assam L.A. (As on 30-9-77) . .	114	22	75		3			1(aa)	8	109	5
Bihar L.A. (As on 30-9-77) . .	325	212	57	4	21			6(b)	22	322*	2
Gujarat L.A. (As on 30-12-77) .	182	107	68		..			..	6	181	1
Haryana L.A. (As on 16-12-77) .	90	75	3				..	5(c)	6(d)	89	1
Himachal Pradesh LA (As on 22-12-77)	68	54	9						5	68	
Jammu & Kashmir LA (As on 15-12-77) .	76	13	10					53(e)	..	76	
Karnataka L.C. (As on 1-10-77) .	63	17	42	..	..				3	62*	..
Karnataka L.A. (As on 1-10-77) .	217	35	161	..	3			..	6	205*	11
Kerala L.A. (As on 26-10-77) . . .	140	6	39	17	23		..	54(f)	1	140*	
Madhya Pradesh L.A. (As on 1-8-77) . .	321	229	84			..		1(ff)	6	320*	..
Manipur L.A. (As on 21-12-77) . .	60	55	..			4	..	..	..	59	1
Meghalaya L.A. (As on 16-12-77) .	60	..	37				..	18(g)	3	58	2

Punjab L.A. (As on 22-12-77) . . .	117	24	17	8	7	..	58	..	2	116	1
Rajasthan L.A. (As on 27-9-77). . .	200	148	41	1	1	..		4(h)	4	200	1
Sikkim L.A. (As on 30-9-77) . .	32	26	..	..	..	..		6(hh)	..	..	..
Tamil Nadu L.C. (As on 30-9-77) . .	63	4	5	..	1	10		27(i)	1	48	15
Tamil Nadu L.A. (As on 28-12-77) . .	235	10	27	12	5	125		.55(j)	..	234*	..
Uttar Pradesh L. C. (As on 30-9-77) .	108	30	59		2	..		3(k)	2	106	2
Uttar Pradesh L.A. (As on 24-12-77) .	426	352	46	1	9			1(l)	16	425	1
Union Territories											
Arunachal Pradesh (As on 10-1-78) . .	23	21	..		..	..		2(m)		23	..
Delhi Metropoliton Council (As on 14-12-77)	61	51(p)	10		..			..		61	..
Goa, Daman and Diu (As on 23-12-77) .	30	3	10	..	..	..		15(n)	2	30	..
Pondicherry L.A. (As on 19-12-77) . .	30	8	2	1	1	15	..	3(o)	..	30	..

*Excludes Speaker/Chairman who is not a member of either party.

(a) Majilis—ittehad-ul-Muslimeen-1, and Republican Party of India-1.

(aa) R.C. P.I.—1.

(b) All India Jharkhand-2, Jharkhand-1, Soshit Samaj Dal-1, Forward Block-1, Nominated-1.

(c) Vishal Haryana Party-5.

(d) Out of Independent members one member has given his party affiliation as "Rebel Janata Party" whereas he was elected as an Independent Member.

(e) National Conference-49, Janata Front-3, Jamati Islamia-1.

(f) Kerala Congress-20, Muslim League-12, Revolutionary Socialist Party-9, Muslim League (Opposition) -3, Kerala Congress-Pillai Group-2, National Democratic Party-5, Praja Socialist Party-3.

(ff) Nominated-1.

(g) APHLC-14, HSPDP-4.

(h) Pragtisheel-4.

(hh) Sikkim Prajatantra Congress

(i) Dravid Munnetra Kazhagam-16, United Party-4, Indian Union Muslim League-2, Tamil Arasu Kazhagam-1, Indian National Forward Block-1, Makkal Dravida Munnetra Kazhagam-2, Toilers Commonwealth Party-1.

(j) Dravida Munnetra Kazhagam-48, Indian National Forward Block-2, Tamil Nadu Toilers Progressive Party-2, All India Forward Block-1. Muslim League-1, Nominated-1.

(k) Shikshak Dal-7, Nirdaliya Sangh-3, Rastravadi Dal-2, Republican Party-1.

(l) Nominated-1.

(m) Peoples Party of Arunachal Pradesh-2.

(n) Maharashtravadi Gomantak Party-15.

(o) Dravida Munnetra Kazhagam-3.

(p) Includes 5 nominated.

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